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GREEN RIVER-HAMS FORK

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

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REGIONAL COAL TEAM

Big Sandy/Salt Wells Resource Areas

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PUBLIC MEETING

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Aspen/Elbert Room
Travel Lodge North
200 West 48th
Denver, Colorado
Thursday, October 20, 1983

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I N D E X

SPEAKER

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P R O C E E D I N G S

(10:00 a.m.)

CHAIRMAN ROLAND ROBISON: Ladies and gentlemen, it's 10:00 a.m. and the appointed time for the commencement of this meeting of the Regional Coal Team for the Green River-Hams Fork Region. I therefore call the meeting to order. It has been called pursuant to a Federal Register notice that appeared in the Federal Register on Thursday, September the 22nd. The notice advises the public that the Regional Coal Team for the Green River-Hams Fork Federal Coal Production Meeting Regional will meet to discuss, among other things, and do, among other things, review and analyze public comments on the Draft Environmental Impact Statement for Round 2 leasing in this particular coal region; to review the results of public hearings on the Draft EIS held in the region; to consider the need for revising track ranking and selection and give the EIS team appropriate direction for the final EIS; to allow public comment on the inclusion of Indian Springs tract and the preferred leasing alternative; to consider other pending issues in this coal region including, but not limited to, Small Business Administration set-asides, public body set-asides, and industry tract exploration activities.

I am Roland Robison, chairman of the Coal Team and state director for the State of Utah Bureau of Land Management. Others seated at this table who are members of the Coal Team

1 or are alternate members of that team, I will now introduce.

2 Representing Governor Lamm of Colorado and seated
3 on my extreme left is Mr. DeWitt John. Representing Governor
4 Herschler of Wyoming and seated to my extreme right is Mr.
5 Warren White. Representing the Colorado State Director, Bureau
6 of Land Management is Mr. Frank Salwerowicz, seated on my imme-
7 diate left, who is a Deputy State Director for Mineral Resources,
8 Colorado BLM. And seated on my immediate right is Stan McKee,
9 representing BLM Wyoming, who is the Wyoming coal coordinator.

10 There are also present ex-officio members of the team
11 and I will introduce them now and I would appreciate it if they
12 would stand or raise their hands as they might prefer as their
13 names are announced.

14 Representing the U.S. Fish and Wildlife Service here
15 is Don Dobol. Representing the Superintendent of Dinosaur
16 National Monument is Mary Ann Grasser. It appears that Mary
17 Ann may not be here. Representing the Office of Surface Mining
18 is Mel Shilling. Representing the Forest Service is Tom Elson
19 and representing the Small Business Administration is Ken
20 Meister.

21 There are others in the audience who work for the
22 Bureau of Land Management, a number of them, probably too num-
23 erous to conveniently identify at this time, and of course we
24 have many here from the public and we welcome all of you to
25 this meeting.

1 The first order of business to be taken up is the
2 approval of the minutes of the last meeting of the Regional Coal
3 Team. That last meeting was held on January 11th, 1983. The
4 minutes of that particular meeting were sent to all members of
5 the RCT and also to some twenty members of the public and com-
6 ments were solicited with respect to those minutes. I might
7 say that no comments were received and so I would entertain the
8 proposition at this time that those minutes be approved as they
9 were distributed.

10 Any comment on that?

11 (No response.)

12 All in favor of approving the minutes of the last
13 meeting as distributed say aye.

14 (Whereupon, a vote was taken and the motion passed
15 unanimously.)

16 CHAIRMAN ROBISON: The minutes are approved.

17 A printed agenda is available and we will follow that
18 printed agenda during the course of these proceedings. If there
19 are people in the audience who have not received a copy of that
20 printed agenda, one can be obtained from a table that is near
21 the entrance of this room.

22 We also would appreciate it if those attending this
23 meeting would sign our register sheets on the table near the
24 entrance to this room because it helps us to have a record of
25 those that attend.

1 We will then now turn to Item No. 3 on the printed
2 agenda, which relates to the Indian Springs, Fish Creek Corral
3 Canyon, Bell Rock and Point of Rocks tracts and also Preference
4 Right Lease Applications, and turn to Kenneth Smith, who is the
5 project manager in the Colorado State Office for the Green
6 River-Hams Fork region for conduct of business in connection
7 with these particular items. Ken?

8 MR. KENNETH SMITH: We have a number of things to
9 cover today. Looking at it in the last couple of days we con-
10 cluded that we ought to limit the number of speakers, rather
11 than have people popping up to give a two-minute presentation
12 and then sitting down again.

13 If there are questions on some of these matters, they
14 may be referred to some other BLM individual, rather than the
15 speaker. We're trying to put together a rather quick presen-
16 tation and an orderly one, but we may have to refer a few ques-
17 tions out as the speakers today are not the experts on some of
18 these subjects.

19 The Indian Springs tract was considered in our meet-
20 ing on January 11th. We at that time placed that tract in the
21 maximum leasing alternative. It was not in the preferred leas-
22 ing alternative.

23 If you attended that meeting you recall that there
24 was some conversation at that time about the amount of coal that
25 was in the preferred leasing alternative and the team concluded

1 that 725 million tons was a satisfactory amount of coal and that
2 there was a distinct difference in the quality of the tracts
3 that they were looking at.

4 We subsequently received instructions from Washington
5 that we would have to have 750 million tons of coal in the pre-
6 ferred leasing alternative. We, therefore, went back to the
7 members of the Regional Coal Team by memoranda, and requested
8 that those members consider some other tract and proceeded to
9 look at other possibilities for raising that amount of coal.

10 The Wyoming state office indicated that the Indian
11 Springs tract would be satisfactory as did the State of Wyoming.
12 The two Colorado organizations represented here concurred in
13 that and a recommendation was made back to Washington.

14 The Washington Solicitor's Office found that they did
15 not like us to conduct our business outside of the public and
16 outside of public concerns, so we are back today to talk about
17 that particular item on the preferred leasing level.

18 Last night, in reviewing the activity of that January
19 11th meeting, another matter came up. We had at that meeting
20 a question of interpretation as to whether or not the Regional
21 Coal Team or the Bureau of Land Management would be representing
22 what the preferred leasing alternative was.

23 I am informed that the interpretation of the regula-
24 tions now is that the Regional Coal Team should make a decision
25 as to the preferred leasing level. The current document is a

1 BLM preferred leasing level. This Regional Coal Team did not
2 take a position on that leasing level.

3 I apologize to the team for the amount of confusion
4 associated with this, but, as you know, we were the first vic-
5 tims to try that new portion of the regulations out immediately
6 after they were adopted. So that is a matter which the Regional
7 Coal Team should consider.

8 Now, in terms of recommendations of the staff on the
9 Indian Springs tract, it is our recommendation that that remain
10 in the 759 million-ton leasing level, the preferred leasing level
11 as it was analyzed. In terms of an RCT recommendation, of
12 course, the Bureau of Land Management recommends to the Regional
13 Coal Team that you adopt our preferred leasing level.

14 The next problem is Fish Creek tract. Colorado BLM
15 has had a lot of trouble with Fish Creek tract and I suspect
16 our problem with tract -- our problems with that tract are not
17 going to go away.

18 The area outlined in red on that tract is a 480-acre
19 piece of ground that lay immediately adjacent to the Fish Creek
20 tract. The Fish Creek tract runs off to the left of that red
21 marked area. There are some other federal leases out there --
22 that's the one in blue -- and there's quite a bit of private
23 holdings by Colorado Yampa Coal Company or Getty; I'm not sure
24 who holds the exact title to some of that land.

25 I think maybe we'd better review for just a minute

1 a few facts on that tract overall. The tract is located in
2 Routt County, 12 miles northwest of Oak Creek, Colorado. It
3 contains 2,856 acres, 100 percent (inaudible) surface, 100 per-
4 cent federal ownership of the mineral.

5 The tract was delineated as a surface and subsurface
6 tract, 3 million tons of surface-mineable coal, and 61.3 million
7 tons of underground mineable coal.

8 In response to expressions of interest from both Getty
9 and their subsidiary, Colorado, Yampa -- I believe there were
10 also some other expressions of interest in the area from W. R.
11 Grace, if I recall correctly.

12 We analyzed the tract as a million-ton-a-year produc-
13 tion area and no new transportation or other facilities would
14 be required for this tract.

15 About the time we were readying the draft for -- a
16 little earlier than that. Before we were readying the draft
17 for publication, it was called to our attention by adjudication
18 that the area marked in red had a surface-coal-only lease on
19 it, and we went back to the tract delineation team and asked
20 them how much coal could be under that piece of ground and
21 whether or not it made sense to include that piece of ground
22 in an expanded tract.

23 At the same time we went back to the district and
24 asked them what the situation was out there and could we include
25 it in an expanded tract.

1 The district came back to us first. Their indication
2 was that the land use planning amendments which had made possi-
3 ble the delineation of the rest of the tract did not extend to
4 that piece of ground and that, therefore, we could not get that
5 piece of ground into the tract without a considerable delay in
6 our existing schedule.

7 The then Minerals Management Service -- it had been
8 announced that they were now the BLM; we just hadn't had a
9 chance to talk to each other much since that had occurred --
10 so our tract delineation staff from Grand Junction came back
11 to us and said there were some problems withi the coal on that
12 tract and the coal information. Particularly, that piece of
13 ground has from somewhere between two and five faults on it.
14 There is a possibility of there being 4.7 million tons of coal
15 on the tract, but that possibility depends upon the result of
16 drilling which has not been conducted and there's a big ques-
17 tion mark about that situation.

18 Following that, the district reported back that the
19 tract also has an alluvial valley floor through it; it has a
20 highway; it has mine facilities for the Colorado Yampa opera-
21 tion, facilities which would either have to be moved or pro-
22 tected in the event that there was any mining on that tract.

23 After examining those questions and after talking with
24 Colorado Yampa -- the district handled that -- and having
25 received some comments from Colorado Yampa, the recommendation

1 of the staff to the Regional Coal Team is that this tract not
2 be redelineated, that it be offered as it is, that we call to
3 the attention of the secretary in the secretarial issue document
4 that we have a situation here which might be in violation of
5 his policy and leave it up to him to make the decision, the
6 final decision, which is his anyway, whether or not to lease
7 this tract.

8 The next tract is Corral Canyon. Three days before
9 the draft was published, Corral Canyon was exchanged and most
10 of you have noticed that Corral Canyon is still in the document.
11 The staff is going to recommend on that that Corral Canyon
12 remain in the document. We are looking now at a situation in
13 which the tract is in litigation. The National Coal Association
14 has filed suit against the exchange, arguing that it violates
15 2(c) of the Mineral Leasing Act and probably also that it vio-
16 lates public interest.

17 That being the case, and because we're not aware of
18 any 2(c) litigation, we would like to leave the possibility open
19 of offering this tract at some later date and, therefore, we
20 recommend that it stay in the document as it is currently
21 treated in that document. And that situation came to our atten-
22 tion last night.

23 The chairman of the region received a letter from
24 Colorado Yampa Coal Company which discussed the Bell Rock tract
25 -- excuse me, Empire Energy Corporation. What did I say?

1 -- which indicates that Empire Energy would like to have the
2 RCT review their ranking and the place in the EIS that we are
3 analyzing this tract. We have placed it only in the very
4 highest leasing alternative. It is not in the preferred leasing
5 alternative.

6 At the time that we ranked these tracts, the Bureau
7 of Land Management felt that that tract ranked out high. The
8 state has some serious concerns about hydrology on that tract
9 and they persuaded us to not to place it in the preferred alter-
10 native.

11 After that meeting, the company met with the parties
12 to the Regional Coal Team, sat down and discussed some of their
13 responses to the state's position, and the company has indicated
14 in its letter that they feel that that and other actions since
15 that time have clarified the issues raised in the RCT meeting
16 and that it is time to raise the ranking of the tract and to
17 consider placing the tract in the preferred leasing alternative.

18 I don't know what the state's position is on this.
19 I do know that the last time I was involved in this the issue
20 was not resolved. It was still hanging there. And I'm going
21 to ask DeWitt to talk about that for a minute or two. Since
22 he and I were just talking about that in the hall, I can
23 guarantee you that he is not fully prepared to discuss this in
24 any depth.

25 There is, however, the matter of the staff

1 recommendation on the matter. We had at least eight hours to
2 think about it and I wrote a staff recommendation this morning
3 which is still sitting back where I wrote it, along with the
4 rest of this speech.

5 It seems to the staff that given the time frames that
6 we are now under on this document, and given the amount of
7 analysis that will have to go into moving the tract from one
8 alternative to another, that we are going to automatically, in
9 the case of such proposals, recommend against them.

10 In terms of tract ranking -- that is on the agenda
11 today -- it can be done. The BLM staff has not changed its
12 position on that ranking. It's still ranked on a "high tract,"
13 based on the information we have.

14 Now, this brings us to some of the comments, and I
15 don't want to steal Carol's speech, but we received some
16 fairly hot and heavy comments on hydrology from both states and
17 that seems to be the biggest concern. I suspect that the draft
18 did not satisfy the State of Colorado on the subject of the Bell
19 Rock tract and Empire Energy's concerns.

20 That being the case, I'm not sure that we can finally
21 resolve that issue today. In terms of Empire Energy's people,
22 who probably in the audience, and I don't recognize enough of
23 them at this point in time, this is not the last chance we have
24 to consider this tract and we could consider it at the last
25 meeting and recommend to the Secretary at that time that that

1 tract be leased, so there are still almost four months in which
2 to deal with any remaining problems on that piece of ground.

3 The Point of Rocks tract. The Point of Rocks tract
4 is another one of those cases in which Rocky Mountain Energy
5 and some other parties are pursuing an exchange in Wyoming.
6 Up until very recently, the Bureau in Wyoming has been concerned
7 about splitting the Point of Rocks tract, leaving us with a
8 smaller tract and giving a larger and more northern tract to
9 the exchange proponents, in fact a considerable amount of
10 reluctance to do that.

11 Rocky Mountain Energy has come forward in the last
12 few days, I guess, or fairly recently anyway, and indicated that
13 they would be willing to exchange Lucite Hills fee minerals
14 to make up the difference. This would increase the federal
15 interest in Lucite Hills and decrease the amount of federal
16 interest in the Point of Rocks that could not be exchanged with
17 Grand Teton or with Teton Ranch.

18 There is no staff recommendation on this situation.
19 It's our belief that the exchange tracts should be continued
20 in the draft and into the final as they are now set out. Look-
21 ing at a change in ownership in the Lucite Hills tract, it's
22 the staff recommendation -- it's the staff's belief that that
23 does not impact on the draft EIS. It's merely a change in
24 ownership.

25 We were intending that if the Lucite Hills tract were

1 leased and mined, that all of the coal in that tract be mined;
2 not just the federal coal. This is a checkerboard area that
3 we share with the railroad up there.

4 Finally, since the last meeting, we in BLM have
5 received some instructions on PRLA's, which we ought to talk
6 about for just a moment. We received a written memoranda which
7 states that we are to consider EIS's for all of our outstanding
8 PRLAs. That's all the memo said, incidentally. It didn't give
9 us any details.

10 We've been waiting for budgetary guidance and guidance
11 on which PRLAs this instruction applied to; other guidance since
12 that time. We have not yet received any further guidance.
13 However, since this occurred, since the last RCT meeting, I
14 thought I'd better mention that to the members of the team and
15 to the general public who do come here to hear a little bit
16 about general coal issues as well as how is this region pro-
17 ceeding.

18 Do you want to talk about --

19 MR. STAN McKEE: No, I want to add something.

20 MR. SMITH: Indian Springs?

21 MR. McKEE: No.

22 MR. SMITH: Okay, go ahead.

23 MR. McKEE: Guess again. Regarding the PRLA question
24 that we have, I think it needs to be settled. The PRLA projects
25 that we're looking at in Wyoming, in Rock Springs and the

1 Rawlins districts were cleared -- were exempted from the
2 requirement to prepare an EIS, and so the EIS requirement, I
3 believe, still falls on the Colorado PRLA, but I understand
4 there are new requirements coming out for the adjudication of
5 (inaudible) which will affect all of the PRLAs.

6 MR. JOHN CARLSON: Ken?

7 MR. SMITH: Yes.

8 MR. CARLSON: There was a memo that came out of
9 Washington on September 9th on guidance for determining commer-
10 cial quantities. That memo is out; it's in the form of an
11 instruction memo available to all the states at the present
12 time.

13 The June 28th memo instructing the states to prepare
14 (inaudible) was quite specific. It told you that you were obli-
15 gated to prepare EISS on all PRLAs with the exception of those
16 including "Sabery" and the Rock Bell, Green Springs, Pine Butte
17 and Table.

18 CHAIRMAN ROBISON: John, I did not identify you durin
19 the introductions. Perhaps you might tell the people assembled
20 here just who you are. Would you identify yourself?

21 MR. CARLSON: I'm John Carlson, the (inaudible) coor-
22 dinator for Green River-Hams Fork (inaudible).

23 MR. SMITH: Is there any other comments? I don't hav
24 anything else to say, Mr. Chairman, if you want to open this
25 up to public comment or RCT discussion.

1 CHAIRMAN ROBISON: Well, thank you very much, Ken.
2 You've given us the background and you've also given us your
3 recommendations. This would now be an appropriate time for our
4 hearing any public comments, so if there are parties who wish
5 to comment on the discussion that's been had relative to these
6 tracts or add in any way to that discussion, or also touch upon
7 the subject of PRLAs, this is the time when you could do that.

8 (Pause.)

9 MR. DAVID "KOBER": Mr. Chairman, I'm David Kober with
10 the Pittsburgh and Midway Coal Mine Company. Pittsburg and
11 Midway is the coal mining subsidiary of Gulf Oil. P&N and Gulf
12 have followed the actions of this Regional Coal Team through
13 this second round of planning. We expressed interest in several
14 tracts in Colorado and Wyoming. I would like to speak now to
15 two of those tracts, the Williams Fork Mountain tract and the
16 Indian Springs tract.

17 The Williams Fork Mountain tract in Routt and Moffat
18 Counties in Colorado is included in the maximum alternative.
19 It was not included in the preferred or lower alternative
20 because it was not highly ranked.

21 Coal economics and the State of Colorado's concern
22 with possible hydrologic impact of a mine on the tract kept it
23 from being more highly ranked.

24 We think that the BLM estimation of a coal resource
25 of 45.9 million tons with recoverable reserves of 39 million

1 tons is too low. That estimation did not contemplate mining
2 coal seams above the end seam and does not appear to have
3 allowed for maximum economic recovery of the coal reserves.

4 P&M feels that even using the data available at the
5 time of the tract delineation, the coal resource was under-
6 stated. P&M carried out a drilling program on the tract this
7 summer under a federal coal exploration license.

8 The growing information received from this program
9 has not yet been completely studied but it appears that recover-
10 able reserves should be about 50 to 60 percent higher than those
11 currently listed in the draft EIS and in the tract delineation
12 report.

13 As part of the exploration program, we also studied
14 possible hydrologic impacts of mining on the tract. That infor-
15 mation is also still under study, but it appears that mining
16 would have much less impact on the water resources than data
17 available during the tract delineation process indicated.

18 For these reasons, we recommend that the tract be
19 reranked as high and placed in the preferred alternative. The
20 data from the exploration program should be considered during
21 the final ranking process.

22 Gulf also submitted the expression of interest which
23 covered the Indian Springs tract in Wyoming for use in under-
24 ground coal gassification. Our interest in this tract has not
25 lessened. We would still like to see the tract put up for sale

1 and will follow this tract through the program, depending on
2 the royalty rate that is decided upon, the lease form which is
3 used, and the point at which royalty is assessed and other lease
4 stipulations. Thank you.

5 MR. SMITH: Is it possible for us to talk to the folks
6 who are running your hydrologic work out there? They need to
7 talk to Richard Ingalls out of the Craig District Office in order
8 that we get some of this information back into the process and
9 consider it in the final.

10 MR. KOBER: I'm certain it would be possible. We did
11 infrared photography over the area and some other hydrologic
12 studies which are still being analyzed by our Denver staff.

13 MR. SMITH: I suspect that the State of Colorado will
14 probably also be asking questions.

15 MR. KOBER: We're prepared to answer them, I think.

16 MR. DeWITT JOHN: Do you know when the work is to be
17 done, Dave? The hydrologic work?

18 MR. KOBER: No, I don't. The same person who's
19 analyzing that data is also working on our final showing for
20 the Sabery PRLAs, and that's a somewhat short deadline right
21 now.

22 MR. JOHN: Well, let's stay in touch.

23 MR. KOBER: Okay.

24 MR. McKEE: You're saying that despite Andrea
25 Chancellor's article, you are still interested in Indian

1 Springs?

2 MR. KOBER: Yes.

3 MR. JOHN: I suspect that there are some other folks
4 in the audience who want to say the same thing about other
5 tracts, so why don't you let them go first and I'll respond to
6 both of you.

7 CHAIRMAN ROBISON: David, thanks very much for your
8 comments. We appreciate hearing your views in that particular
9 regard.

10 Now, are there others from the public who would like
11 to have an opportunity to be heard?

12 MR. ROBERT "PERSWELL": I'm Robert Perswell from
13 Empire Energy Corporation in Craig, Colorado. We've expressed
14 an interest in the Bell Rock tract. Of course, we're a little
15 disappointed to hear the comments this morning about -- at least
16 the decision as it stands today -- for the Bell Rock tract.

17 All I want to do is to insure that the three documents
18 that we've submitted to the Committee for the Draft Environment
19 Impact Statement, dated October 6, '83, a letter to Mr. Robison
20 dated October the 17th, and a letter from Mr. Rick Mills of our
21 company to Fred Banta be included in the records, and I have
22 copies of those three statements and extra copies if someone
23 would like to read them. Thank you.

24 CHAIRMAN ROBISON: Ken, have we received all three
25 of those documents?

1 MR. SMITH: Yes, I've got them.

2 MR. PERSWELL: Does she need a copy?

3 MR. SMITH: Yeah, why don't you give her a copy and
4 she'll include it.

5 CHAIRMAN ROBISON: Mr. Perswell, we'll assure you that
6 we will give consideration to those documents and the points
7 raised in them.

8 MR. PERSWELL: We are still very interested in the
9 Bell Rock tract and your at least tentative decision as far as
10 today and --

11 CHAIRMAN ROBISON: Well, that's a recommendation from
12 Mr. Smith and that is an item, of course, that we can discuss
13 here as we proceed in these deliberations.

14 MR. PERSWELL: We would appreciate that.

15 CHAIRMAN ROBISON: Are there others who would like
16 to be heard on the subjects that have been introduced here in
17 Mr. Smith's discussion?

18 MR. JIM SHAW: My name is Jim Shaw and I'm here repre-
19 senting Rocky Mountain Energy Company. The point I'd like to
20 make concerns the discussion of the Lucite Hills tract and Point
21 of Rocks tract exchange that's been proposed.

22 Although I think I agree with Mr. Smith's comments
23 that current coal owned by Rocky Mountain Energy Company which
24 could conceivably be acquired by the federal government within
25 the boundaries of the Lucite Hills tract is probably adequately

1 addressed.

2 While I'd like to agree with the comments made by Mr.
3 Smith concerning the coals that would be acquired by the federa
4 government in the Lucite Hills tract being adequately addressed
5 in the impact statement, I would like to disagree on the commen
6 about keeping the Point of Rocks tract in the lease sale. I
7 think this tract, which currently includes an operating mine
8 and is the subject of a vital exchange proposal, can probably
9 best be dealt with by not carrying both tracts -- both in a
10 parallel tract of an exchange or a lease sale, but that the
11 exchange be addressed and carried out and that the Point of
12 Rocks tract be withdrawn from the proposed lease sale.

13 CHAIRMAN ROBISON: Are there questions or comments?
14 Ken?

15 MR. SMITH: This team has the power to schedule the
16 sale and there will be some discussion today about scheduling
17 of those sales in preparation for the next meeting. It was the
18 staff's intention and the reason for our recommendation got
19 obviously left out -- that this tract not be sold until whateve
20 action, whatever final decision be arrived at on the exchange.
21 Does that modify your presentation in any way?

22 MR. SHAW: I guess my response to that would be at
23 a minimum, that's what we think should take place. I guess in
24 the event that the exchange proposal were not consummated as
25 it's proposed, I'd like to leave the subject of commenting on

1 that open until that time.

2 MR. McKEE: In Wyoming, Jim, that's kind of what we're
3 looking at. The Regional Coal Team here makes the recommenda-
4 tion on the tracts that are to be sold. It's a Secretarial
5 decision, and as has been done in other coal regions that I'm
6 moderately familiar with, we will -- it will be carried forward
7 if in fact the exchange is not consummated or agreed upon prior
8 to the sale here, it will be carried forward in the Secretarial
9 issue document as proposed that way, if you understand what I
10 mean.

11 The thing that we are concerned about at this point
12 is always leaving our options open. If, for some reason, RME,
13 for instance, would not find it in your best interest to con-
14 tinue with this exchange proposal, then it would limit our
15 options as to what we can do with the tract if it is not carried
16 forward.

17 CHAIRMAN ROBISON: Thank you, Stan, for that clarifi-
18 cation. Are there any comments on the latest presentation by
19 Mr. Shaw?

20 (No response.)

21 CHAIRMAN ROBISON: If not, then I think there was
22 another party who had some interest in making a presentation?
23 Apparently not. Your last chance for comment on this particular
24 set of issues?

25 (No response.)

1 CHAIRMAN ROBISON: There appear to be no further
2 takers. Then I would turn to members of the Regional Coal Team
3 for comments that they may wish to make relative to the proceed
4 ings that have taken place to this point.

5 MR. JOHN: I'd like to say a couple of things in
6 response to Mr. Perswell and Mr. Kober, both. I think it's good
7 that you both have gone on record advocating reranking tracts
8 and putting in different alternatives. But I really don't think
9 it's in your interest, or anybody's interest, to make that
10 decision.

11 As I understand the bureaucracy works, if we were to
12 rerank or especially put in different alternatives, what that
13 would mean would be to have to rewrite some sections of the EIS
14 and that would take time and postpone the lease-sale date and
15 I presume that that's not what you're after. In general, we
16 all want to see the bureaucracy move as fast as possible.
17 There will be a time to deal with those in terms that you've
18 both raised and that's, I think, the next meeting.

19 We're not prejudging in any way what the decision will
20 be at that point. We'll have a chance to look at it since
21 you've gone on record, but I would vote against accepting your
22 recommendation right now. I would hope that in your heart of
23 hearts, you might agree with me.

24 The whole question with regard to the substantive
25 issues that you're concerned about, the hydrological potential

1 -- potential hydrological problems on this tract. Back in Jan-
2 uary when (inaudible) brought forth these problems to us in a
3 study that wasn't too old -- I think it was something less than
4 a year at that point -- which pointed out that on the basis of
5 some preliminary work, there looked as though there may be some
6 cumulative hydrologic problems along the Yampa River.

7 At that point also, your two mines were not permitted,
8 were not finally permitted. Since then a whole lot of work has
9 been done. More work is still being done. I know that one of
10 the two mines has been permitted and I gather there's a lot of
11 progress being made on the other. Dave's company has apparently
12 done a lot of work on Williams Fork. There's some additional
13 work that's been done in the Fish Creek area, so we don't think
14 that all of that work is reflected in the Draft Environmental
15 Impact Statement.

16 We are, in our comments to the BLM, we've encouraged
17 them to come and look at a variety of documents, including some
18 of the records of decisions in giving you (inaudible) in some
19 hydrologic monitoring information -- give that to BLM and let
20 them try to bring their analysis up to speed so that when in
21 fact we do come to the decision point in however many months
22 it is, then all of us will be up to speed and we'll have the
23 best information available at that time.

24 It's getting a little ahead, I guess, since Carol is
25 going to make a presentation on the Draft EIS later, but we

1 asked in a letter, we asked (inaudible) several times that we
2 would like to sit down with their hydrologist and our hydrolo-
3 gist and try to go over what the situation is on these tracts.

4 We would also be very happy to continue discussions
5 with the companies involved so that when we come up to a deci-
6 sion point, we all are operating under the same data bases.
7 We don't think the Draft EIS has the data base we want for these
8 decisions.

9 If either of these folks have any response, I'd be
10 interested in hearing it.

11 MR. PERSWELL: That's why with us, as far as Empire
12 Energy is concerned, we want to make sure we keep things open
13 and that you do give us the opportunity to show you the data.

14 MR. KOBER: That's our position also.

15 CHAIRMAN ROBISON: Anyone else on the Regional Coal
16 Team wish to make a comment or statement at this time?

17 (No response.)

18 CHAIRMAN ROBISON: It appears not. I would then pro-
19 pose that we take the recommendations that have been made to
20 us by Mr. Smith and consider them and that we accept or reject
21 them as the case may be, so let's proceed to do those in the
22 order they're listed on the agenda.

23 The recommendation with respect to the Indian Springs
24 tract is that it be included in the preferred alternative. All
25 those in favor of that proposition indicate by saying aye.

1 I'm sorry, I got ahead of myself and I'd be happy to
2 entertain discussion on that particular question at this point.

3 (No response.)

4 CHAIRMAN ROBISON: All those in favor of including
5 the Indian Springs tract in the preferred alternative indicate
6 by saying aye.

7 (Whereupon, a vote was taken and the motion was
8 passed unanimously.)

9 CHAIRMAN ROBISON: That particular initiative has
10 received the approval of the RCT.

11 The second point relates to the Fish Creek tract and
12 the recommendation of the BLM is that it be offered as is, that
13 it not be redelineated, so in effect there would be no change
14 in that situation, as I understand it, Mr. Smith.

15 MR. SMITH: That's correct.

16 CHAIRMAN ROBISON: Any discussion on that point?

17 MR. JOHN: I have a question. What I heard Ken say
18 was that the Secretary has a policy that tracts have to be
19 covered by a valid land-use plan before they can be sold?

20 MR. SMITH: Well, there's a statute on that.

21 MR. JOHN: That's what I thought.

22 MR. SMITH: The policy matter is that we attempt to
23 clean up all problems in that vicinity. For instance, bypass
24 or possible emergency leasing situations in that we essentially
25 present a very clean situation for future mining operations.

1 Here we have 480 acres sitting adjacent to an opera-
2 tion and, as a matter of fact, included in the surface opera-
3 tion in that all the mine facilities are located there. That's
4 the point that I would say needs to be called to the Secretary's
5 attention. There is no statute on that matter.

6 There is in the bypass and emergency leasing regula-
7 tions at least a hint to the effect that this sort of thing
8 should not be left for future consideration.

9 MR. JOHN: I guess I'm certainly in favor of cleaning
10 things up. It sounds as though there were a snafu of some sort
11 on the 480 acres and it would be nice to straighten out all
12 snafus, but I'm not clear as to how you're going to do that,
13 given the way the law reads.

14 MR. SMITH: We can't do it. What we can do is we can
15 go back and ask for more time, or we could refuse to lease the
16 Fish Creek tract and, therefore, leave the Fish Creek tract for
17 a future round of coal leases.

18 MR. JOHN: Those are the only alternatives?

19 MR. SMITH: Well, there's an intermediate alternative
20 that was considered in the documentation. There's three main
21 kinds of surface mineable coal on the Fish Creek tract and it
22 would be possible to separate that coal out, offer that coal
23 and leave all of the underground coal for some later determina-
24 tion. Again, another round of leasing. So those are the prin-
25 cipal alternatives that have been considered, and having

1 considered all of those alternatives, the staff essentially con-
2 cluded that we ought to proceed, the reason being that right
3 now Colorado Yampa controls most of the possible access points
4 to that underground fault.

5 If we lease them the surface mineable coal in order
6 to avoid a 3 million-ton bypass, which is, as I understand it,
7 imminent out there, we have leased the last possible access to
8 that underground coal, and we have run out of ways to get to
9 4.7 million tons of coal except to ramp down from the surface
10 from within the tract. Those who are giggling in the background
11 are well-aware that nobody ramps down in this state.

12 So we're left with 4.7 million tons of underground
13 mineable coal that essentially is going to be subject to the
14 whims of Getty Oil at some point in time, or Colorado Yampa Coal
15 Company, depending on who is buying that piece of ground.

16 The evaluation staff, whose concern is the recovery
17 of fair market value, has informed the rest of us -- and this
18 was the principal thing we started arguing about, and that's
19 what the correspondence was about, which the Regional Coal Team
20 has seen and reviewed, has indicated that they will be able to
21 determine fair market value and we will be able to recover fair
22 market value, even if the only company interest in that piece
23 of ground is Colorado Yampa or Getty. On that basis, we did
24 make that recommendation.

25 MR. JOHN: Can you tell me what you want the team to

1 do? What's the issue in front of us?

2 MR. SMITH: The issue is, do you want to continue that
3 tract in the preferred leasing alternative, or move it in only
4 to the maximum alternative for analysis in this situation?
5 That's the first thing, and the second thing is this laying the
6 groundwork for the (inaudible).

7 MR. JOHN: So that it's not a decision.

8 MR. McKEE: I'm a little confused. The land-use plan-
9 ning isn't complete; is that what you're saying?

10 MR. SMITH: Yes.

11 MR. McKEE: On the 480.

12 MR. SMITH: On the 480.

13 MR. McKEE: How much of that is --

14 MR. SMITH: That's that area in red with all the crisi-
15 crossing lines on it.

16 MR. McKEE: So you're wondering if that should be
17 retained in the tract?

18 MR. SMITH: It's not in the tract at this time. The
19 choices are, put it in the tract now, delete it from the tract,
20 or make a statement that we don't want it in the tract and it
21 doesn't bother the team that this situation has arose. We'll
22 leave it for the Secretary to think about.

23 MR. McKEE: Well, you can't include it if you haven't
24 completed land-use planning on it.

25 MR. SMITH: That's true. In order to complete the

1 land-use planning, we would have to go back and request more
2 time in this effort.

3 MR. McKEE: And what's the issue?

4 MR. SMITH: The issue is, do you want to do anything
5 about it or not.

6 MR. McKEE: It seems to me that we don't have any
7 choice.

8 MR. SMITH: You can request more time.

9 CHAIRMAN ROBISON: Well, the recommendation was that
10 we merely observe the status quo, as I understand it, and there
11 was an explanation that what the problems are attendant to that
12 and I think that was a fair explanation, even though we may not
13 be called to do anything by our vote that's very drastic.

14 Mr. John is concerned that whatever you do, you do
15 within the framework of the law, and I think the chairman would
16 identify with that.

17 MR. SMITH: As would the project manager.

18 MR. JOHN: My other concern is that we do something
19 that is within hailing distance of what the company thinks is
20 rational. Is there somebody in the audience who would like to
21 tell us what the company thinks is rational to do at this point
22 or would you rather not be put on the spot?

23 MR. SMITH: Gary, shall I speak for you, based on your
24 letters?

25 MR. GARY MYERS: I think I'll come up. I can speak

1 to that. I'm Gary Myers with Getty Oil. Colorado Yampa is also
2 a subsidiary of Getty Oil.

3 The Fish Creek tract, as it's now delineated, con-
4 tains surface coal that Colorado Yampa needs to mine very
5 urgently. We have a producing mine nearby. The underground
6 reserves on the existing tract are also subject to being mined
7 by an adjacent operating underground mine that the Twenty-Mile
8 Coal Company is operating. Twenty-Mile Coal is also a sub-
9 sidiary of Getty, so both the surface and the underground coal
10 on this tract are adjacent to existing operations and we don't
11 want to see anything put off on them. That would be Getty's
12 policy.

13 MR. JOHN: Can I ask a couple of questions?

14 MR. MYERS: Sure, DeWitt.

15 MR. JOHN: As I understand it the two questions are,
16 should we redelineate the tract or leave it out, and you're
17 happy with leaving that 480 out?

18 MR. MYERS: Yes. When we originally expressed a
19 leasing interest on it, we did not include the 480 acres. This
20 problem has been going on for some time and I guess in hindsight
21 it should have been included in the first place and then by the
22 time the problem was discovered, it was too late.

23 We would not be happy with the alternatives of (a),
24 delaying the whole thing, because we have adjacent operating
25 mines, both surface and underground. We wouldn't be happy with

1 not leasing it at all.

2 MR. JOHN: The other question, I guess, is in front;
3 just whether we should rerank it or change the alternatives and
4 you're happy to leave it just where it is?

5 MR. MYERS: Yes, we want to see it leased as soon as
6 possible.

7 MR. JOHN: May I ask one question? How are you going
8 to get the coal if it's not (inaudible)?

9 MR. MYERS: Which coal? On the 480 acres?

10 MR. JOHN: Yes.

11 MR. MYERS: Cross that bridge when we come to it, I
12 guess.

13 UNIDENTIFIED SPEAKER: It's called trespass.

14 MR. JOHN: As long as we get our half of the royal-
15 ties, that's fine.

16 CHAIRMAN ROBISON: Well, it appears to me, Mr. Smith,
17 that we're not left with the best of alternatives here. We face
18 the possibility of coal being -- that 480 acres being bypassed.

19 MR. SMITH: Right now we're scheduling another leasing
20 round in this region in 1987, Congress permitting, and whether
21 or not the company is interested in expressing interest in that
22 coal at that time or not, what control we have over the planning
23 process and the tract delineation process will assure that a
24 certain 480-acre tract of coal is in the next round.

25 CHAIRMAN ROBISON: Well, as I understand the situation,

1 if we take no vote on this issue, the status quo obtains.

2 MR. SMITH: That is correct.

3 CHAIRMAN ROBISON: The status quo is that 480 acres
4 is not included, but the remainder is in fact included in the
5 preferred alternative.

6 MR. JOHN: Can I ask a question? Why don't you just
7 start the land use planning tomorrow. It shouldn't take too
8 long to do land-use planning on 480 acres, I would think.

9 MR. SMITH: It's not the size of the land; it's the
10 kind of planning you're doing. It takes about a year.

11 MR. JOHN: Well, still, if you start it now, it seems
12 to me you'd be able to lease it substantially before 1987;
13 that's four years from now, and the way -- I mean, among other
14 things, who knows how long this leasing (inaudible) is going
15 to last. Maybe we are not in favor (a) of a moratorium or (b)
16 of any extension of the moratorium, but why don't you get
17 started on it and maybe it will catch up. Or, if it won't
18 catch up, at least it could be offered shortly after and avoid
19 any kind of bypass. Why don't you do that?

20 MR. SMITH: We discussed that to some extent last
21 night. We would have to reassess the entire tract in the
22 activity stage. It shouldn't make too much difference but it
23 does make a difference. Our worst case analysis tends to break
24 down when we start adding acreage to tracts and "mine lines"
25 to mines, or potential mines.

1 You have to go back and look at every assumption
2 you've made to date about that particular piece of ground and
3 see what the impact is. There is an impact.

4 MR. JOHN: You mean you have to lease the tract before
5 you can do a land-use plan on the other piece?

6 MR. SMITH: No, no. The problem is if you want to
7 include it in this round of leasing as a portion of the existing
8 tract, you essentially have to slow down the time at which we
9 are supposed to be ready to lease that tract.

10 MR. JOHN: I'm not saying that. I'm saying that why
11 don't we let the rest of the tract as it's currently delineated
12 run along on its merry way here and instead of waiting until
13 1987 to take a look at the 480 acres, why don't you start
14 tomorrow, and then you might be able to lease that piece of land
15 in 18 months or something?

16 MR. SMITH: If we start tomorrow on it, we go for one
17 year of land-use planning, then we go through tract delineation,
18 cite-specific analysis, rewrite the EIS --

19 MR. JOHN: No.

20 MR. SMITH: -- if necessary.

21 MR. JOHN: Why?

22 MR. SMITH: It's a new tract in this EIS.

23 MR. JOHN: What I'm saying is don't include it in this
24 EIS, Ken.

25 MR. SMITH: If we receive an application tomorrow from

1 the coal company for emergency or a bypass, and they qualify,
2 which they would not as I understand their situation, we could
3 proceed in about a year to lease that piece of ground.

4 If this particular company purchases the adjacent
5 tract -- see, we've got very limited ways of leasing coal in
6 a coal region that is functioning. We either do it as an
7 emergency or a bypass situation, or we do it through the
8 regional EIS and this excruciating process that we have been
9 going through for the last two and a half years, unless, of
10 course, we were to decommission the region, which is another
11 possibility.

12 CHAIRMAN ROBISON: Well, Mr. John seems to be making
13 the rather reasonable proposal that we do what is possible to
14 accelerate consideration of the 480 acres. I don't know what
15 difficulties or roadblocks there may be in our making that
16 accelerated consideration, but I would suggest that we at least
17 ought to give that some consideration.

18 MR. SMITH: Well, I'd like to step away from the legal
19 framework for a moment, having just tried that approach, and
20 inform you that in terms of staffing and budgeting, the Craig
21 District Office doesn't have more time for an exercise of this
22 nature.

23 We are starting an RMP in this area which will deal
24 with the problems of that particular acreage and other acreage
25 in that vicinity so that we will have a comprehensive land-use

1 plan in place.

2 What you're proposing is starting tomorrow to do some-
3 thing else. We started October in doing the RMP, full time,
4 and we started planning for that RMP a year ago, so there is
5 an ongoing planning effort out there which will include this
6 piece of ground, and the only problem will be getting this piece
7 of ground into the next round of leasing.

8 Also, of course, Craig is tied up in a number of other
9 planning efforts of various kinds and we feel that their
10 resources at this point in time are pretty well committed.

11 MR. SALWEROWICZ: It seems to me that both you and
12 DeWitt are saying the same things: Do not redelineate the
13 tract; let it proceed as is; this can be brought up in a
14 Secretarial issue document. DeWitt's encouraging us to lease
15 that tract as soon as we can. You're saying, yes, I agree, but
16 here are some of the problems we're going to encounter. So,
17 is that --

18 MR. JOHN: Let me ask two questions. Number one, can
19 you lease it under emergency or bypass (inaudible)?

20 MR. SMITH: Yes, we can do a real quick amendment of
21 a land-use plan for something like that.

22 MR. JOHN: Couldn't the amendment -- until the com-
23 pany comes in --

24 MR. SMITH: Until the company comes in with an appli-
25 cation and until someone has determined that the company

1 qualifies. The company does not qualify, as I understand their
2 situation, on this piece of ground.

3 MR. JOHN: Well, the next question is maybe one I
4 shouldn't ask, and that is does the company have to wait until
5 1987?

6 UNIDENTIFIED SPEAKER: No.

7 MR. SMITH: No, wait a minute --

8 UNIDENTIFIED SPEAKER: On the 480 or --

9 MR. SMITH: We're talking about the 480.

10 MR. JOHN: No big deal.

11 UNIDENTIFIED SPEAKER: Yes, it was not in our expres-
12 sion of interest and we haven't changed that.

13 CHAIRMAN ROBISON: Jo Patti, of the Wyoming BLM, is
14 anxious here to make a comment on this subject. Joe?

15 MR. JOE PATTI: DeWitt, the key to answering your
16 question is not whether or not it could be included in the land
17 use plan; that's not the problem. It still has to be included
18 either in this EIS or a future EIS before you can lease it.

19 MR. JOHN: I understand. I guess I'm satisfied so
20 maybe I should shut up rather than -- we can talk about it after
21 the meeting.

22 CHAIRMAN ROBISON: Well, it seems to me that we have
23 discussed rather fully this particular issue that relates to
24 Fish Creek. At this point I would ask if any member of the RC
25 would like to make a motion with respect to the recommendation

1 that was proffered earlier on this particular tract by Mr.
2 Smith.

3 MR. SALWEROWICZ: I'd move that we accept the staff's
4 recommendations and not redelineate the tract; leave it as is.

5 MR. McKEE: Second.

6 CHAIRMAN ROBISON: It's been moved and seconded; ques-
7 tion. All in favor?

8 (Whereupon, a vote was taken and the motion passed
9 unanimously.)

10 CHAIRMAN ROBISON: The motion relative to Fish Creek
11 passes. The next issue raised by Mr. Smith was that relating
12 to Corral Canyon. Apparently there is some litigation over the
13 exchange that occurred in that particular instance. There is
14 some uncertainty as relates to what the final outcome is going
15 to be there and the recommendation of the BLM people as
16 expressed by Mr. Smith was that we leave Corral Canyon in the
17 document as is. Is that correctly expressed, Mr. Smith?

18 MR. SMITH: Yes.

19 CHAIRMAN ROBISON: Any comment on that recommendation
20 or discussion?

21 MR. McKEE: Call for the question.

22 CHAIRMAN ROBISON: I kind of made the first motion
23 and I hope I wasn't out of order but in this instance I think
24 we'd better ask for a motion from a member of the RCT.

25 MR. McKEE: Mr. Chairman, I move that we maintain the

1 Corral Canyon tract in the EIS as is, making no change.

2 CHAIRMAN ROBISON: Is there a second to that?

3 MR. SALWEROWICZ: Second.

4 CHAIRMAN ROBISON: It's been moved and seconded. All
5 in favor say aye.

6 (Whereupon, a vote was taken and the motion passed
7 unanimously.)

8 CHAIRMAN ROBISON: The motion with respect to the
9 Corral Canyon tract then passes.

10 The next issue raised was that which pertains to the
11 Bell Rock tract. The tentative recommendation expressed by Mr.
12 Smith was that we not include the Bell Rock tract in the pre-
13 ferred alternative; that we not do that at this time for rea-
14 sons that he expressed. Is there any comment on that particula
15 recommendation?

16 MR. JOHN: I make a motion to accept it.

17 CHAIRMAN ROBISON: It's been moved that the recommen-
18 dation be accepted.

19 MR. McKEE: Second.

20 CHAIRMAN ROBISON: Moved and seconded. All those in
21 favor say aye.

22 (Whereupon, a vote was taken and the motion passed
23 unanimously.)

24 CHAIRMAN ROBISON: The motion with respect to Bell
25 Rock tract is approved.

1 The next issue raised was that pertaining to the Point
2 of Rocks tract. There was no recommendation from the staff in
3 connection with that particular tract.

4 MR. WHITE: I recommend it be left in the sale as is.
5 We can take care of it through either gubernatorial-secretarial
6 consultation or whatever else works out in the process.

7 MR. McKEE: Second.

8 CHAIRMAN ROBISON: All right. You all heard that
9 motion by Mr. White. Is there any discussion on it?

10 MR. WHITE: Question.

11 CHAIRMAN ROBISON: All those in favor?

12 (Whereupon, a vote was taken and the motion passed
13 unanimously.)

14 CHAIRMAN ROBISON: That motion also passes.

15 Let me go off the record for just a minute.

16 (Discussion off the record.)

17 MR. McKEE: Mr. Chairman, I move that the Regional
18 Coal Team accept Alternative D as the Regional Coal Team's pre-
19 ferred alternative, which includes the sites -- the other --
20 D and C and the Fish Creek, "Miles" Mountain, "Pet" Gulch,
21 "Pyo," "Wenton," and Indian Springs tracts, which would raise
22 the total preferred alternative level to 579.3 million tons.

23 CHAIRMAN ROBISON: You've heard that. Is there a
24 second to it?

25 MR. SALWEROWICZ: Second.

1 CHAIRMAN ROBISON: It's been moved and seconded that
2 the BLM preferred alternative be adopted as the RCT preferred
3 alternative. Is there any discussion on that particular
4 motion?

5 MR. WHITE: Yeah. What happens if Corral Canyon, the
6 exchange, is accepted and therefore we end up below 759.3 mil-
7 lion tons of federal coal. Do we have to go through the charad
8 of adding another tract to get us up to this mysterious mystic
9 and cosmic level of 750?

10 MR. SMITH: Tuesday I attended the Regional Coal Team
11 meeting as Colorado's representative in Salt Lake City.

12 MR. WHITE: I don't care. I want to know whether or
13 not we have to mess around with 750 million tons again.

14 MR. SMITH: At that meeting it was explained to us
15 by the Washington representative that we no longer had to pay
16 attention to a leasing level; that the purpose of that meeting
17 was to indicate which tracts the RCT wanted to see leased. And
18 I would propose at the time that that is an appropriate agenda
19 item that you folks instruct me to make sure that the secretary
20 understands that the Corral Canyon tract has been exchanged and
21 that we can't possibly sell it if that exchange sticks.

22 MR. McKEE: That will be something that you will need
23 to put into the Secretarial Issue Document --

24 MR. SMITH: Yes.

25 MR. McKEE: -- so, therefore, the answer to the

1 question is no.

2 MR. CARLSON: Ken, I won't comment on what the Wash-
3 ington office representative said about leasing levels. I think
4 the important thing to remember here is the leasing level
5 established for Green River-Hams Fork includes both private and
6 federal coal. By taking Corral Canyon from the federal side
7 and moving it to the private side makes no difference. You've
8 still got a preferred alternative in the leasing level.

9 CHAIRMAN ROBISON: Well, Mr. White, I'm sympathetic
10 to the issue that you raised because we've just gone through
11 that and in connection with some other tracts, and I would hope
12 that the explanations that have been given to us here are direct
13 and that we would not have to reconsider the issue again if it's
14 decided that the Corral Canyon tract should pass from federal
15 jurisdiction to nonfederal jurisdiction. Let's just hope that
16 that's the way it works out. I don't know what else we can say
17 at this point.

18 MR. WHITE: Well, I've got some stories about the word
19 sympathy," but I'll let those go. If we're voting on one
20 alternative we're looking at for those very large caveats that
21 often change between now and the time I leave at five o'clock
22 today, and gubernatorial consultation in the meantime, I have
23 no trouble with the preferred alternative as set forth. But
24 this probably will change somewhere down the road.

25 CHAIRMAN ROBISON: Any other comments?

1 MR. JOHN: Yeah, I would just like to say I like
2 John's answer to the question. I think that was the correct
3 answer about the impact of moving a tract -- of exchanging a
4 tract, making it become private.

5 I have another concern about this. I should preface
6 my concern by saying that the whole topic of how much coal you
7 lease is obviously one of the really tough parts of the program
8 about which there's a lot of disagreement and a lot of confu-
9 sion and a lot of skepticism about any particular way of
10 deciding how you do it.

11 This specific leasing level was selected by the
12 Regional Coal Team almost a year ago -- about a year ago. At
13 that point, one of the things that was used in selecting the
14 leasing level was the results of the so-called black box
15 national coal model. A lot of people are very skeptical about
16 the national coal model. All of us are looking for alterna-
17 tives. We haven't found very many yet except lease everything,
18 which has its own problems, or common sense, which sounds good
19 as long as it's my common sense, not yours.

20 The specific concern I have -- although I'm in favor
21 of the motion -- but the specific concern I have is since we're
22 stuck with the national coal model, a year ago I made a request
23 -- the State of Colorado made a request that a run be made of
24 the national coal model using some assumptions that were dif-
25 ferent from what the Department used.

1 Yesterday, or Tuesday, in the Uintah Coal Team meet-
2 ing, the issue was really how much coal was being leased in
3 Utah and not Colorado, because there's just one Colorado tract.
4 But the Governor of Utah wrote a letter to the team leader say-
5 ing basically, we received a new run of the national coal model;
6 it uses assumptions that are ridiculous. It uses an electrical
7 growth rate that two and a half times what everyone in Utah
8 thinks is reasonable.

9 I have not received the results of the run that I
10 requested a year ago. At the Federal-State Coal Advisory Board,
11 we discussed and agreed unanimously that Regional Coal Team mem-
12 bers, including state members, should be able to obtain a run
13 of the national coal model before a final recommendation about
14 how much coal should be leased.

15 Since I haven't received what I requested a year ago
16 and since I would like not to have a year's lapse between our
17 next meeting and when the State of Colorado is ready to make
18 a recommendation, I would like to hear from the Washington
19 office, what is your schedule for delivering to me the most cur-
20 rent run of the national coal model. And I got one a couple
21 of weeks ago that didn't have any of my assumptions in it, so
22 perhaps that was it. That part is already started.

23 But what is your schedule for when you would like me
24 to respond with an alternative set of assumptions and when you
25 will deliver the output and how is that going to work into the

1 decision schedule so that as the Federal-State Coal Advisory
2 Board suggested, and as we all agreed, all of this could happen
3 without delaying the whole leasing process.

4 I don't want to put you on the spot right now to give
5 me an answer to those questions, but I do think that it would
6 be incumbent upon you to provide them in due course, anything
7 less than a year.

8 MR. CARLSON: I might ask, why are you interested in
9 a run on the national coal model since it's not the sole
10 determinant in determining leasing levels?

11 MR. JOHN: Indeed it's not the sole determinant in
12 determining leasing levels but as I started out in my opening
13 statement, the alternatives that we seem to have are common
14 sense or lease everything, and there are flaws with both of
15 those approaches, or drawbacks to both of those approaches.
16 The Federal-State Coal Advisory Board suggests that it might
17 be useful to have some of those results and I said (inaudible).
18 The Secretary had signed off, in fact, on the recommendations
19 of the Federal-State Coal Advisory Board that we could have
20 those runs made if we wanted. Is that your understanding or
21 do you have a different understanding?

22 MR. CARLSON: I wasn't even aware of it.

23 MR. SMITH: Let me ask for a part of the question
24 also. The run that you received last week is essentially also
25 the run that all of us will receive for Green River? That's

1 the current run of the national coal model and they do not
2 intend to rerun that model prior to February 29th.

3 MR. JOHN: So there won't be an opportunity to have
4 another run made?

5 MR. SMITH: If there are state assumptions, and it
6 was also my understanding that the Secretary had agreed you
7 would get an opportunity to modify, I assume that they are still
8 intending to do that. However, you've got the base run now,
9 okay? I asked that question in Salt Lake City.

10 MR. JOHN: Okay. Would it be helpful to me to know
11 what's your -- when you want some assumptions that I would put
12 together and then when would you be giving back -- I would like
13 to get the run not on the morning of the coal team meeting when
14 we make our recommendation. Maybe a week or so in advance
15 because I don't know if any of you out there have ever seen
16 these things, but they're about so thick and it takes a little
17 time to read. Perhaps we can work that out but that is a con-
18 cern that I have.

19 CHAIRMAN ROBISON: We still have before us the motion
20 that we adopt as the RCT preferred alternative the BLM pre-
21 ferred alternative as it appears in the Draft EIS, and with the
22 addition of the Indian Springs tract, I take it.

23 Further discussion on that motion?

24 MR. McKEE: Question.

25 CHAIRMAN ROBISON: All in favor?

1 (Whereupon, a vote was taken and the motion passed
2 unanimously.)

3 CHAIRMAN ROBISON: The motion passes.

4 I would suggest that we take a ten-minute break at
5 this point.

6 (Whereupon, a short recess was taken.)

7 CHAIRMAN ROBISON: We have concluded with Item No. 3
8 on our agenda. The next item is Item No. 4 entitled Public
9 Comment, the Draft EIS, and the discussion on that particular
10 subject will be led by Carol MacDonald. Carol?

11 MS. CAROL MacDONALD: Thank you. The comment period
12 on the Draf EIS ran from August 8 through September 7th. Durin
13 that period, during the week of September 12th, we have five
14 public hearings; two in Denver, one in Rock Springs, one in
15 Rawlins, and one in Craig, Colorado. At those hearings we had
16 very light turnout over all. In one case we had nobody from
17 the public at all. We had a total of five people who testified
18 four of them also submitted letters elaborating on what they
19 had said in their testimony.

20 To date we have received 28 letters. They fall
21 roughly about 11 from coal companies or industry, about seven
22 from other special interest groups such as environmental inter-
23 est groups and RDC, Colorado Open Space Council and so on, a
24 pack of letters from the state of Colorado, a packet of letters
25 from the state of Wyoming. We've heard from three federal

1 agencies: Fish and Wildlife Service, National Park Service and
2 Reclamation. We are still waiting for the Environmental
3 Protection Agency's comments; they have not been submitted yet.
4 The remaining ones, about five, were from private individuals.

5 We are in the process now of analyzing and evaluating
6 those comments and we have not yet determined fully how we are
7 going to answer those comments. What I'm interested in doing
8 primarily is giving you just the highlights of what we see to
9 be the major issues or problem areas of concern.

10 We got comments on practically every resource that
11 we analyzed, except for sociology or social values. A number
12 of them we got only a few comments on we're not concerned --
13 we feel we can answer them without any particular problems.
14 We have just about six or seven areas that I want to just
15 briefly touch on that we see as being major issues or major
16 areas.

17 In those areas we generally got both sides. We got
18 people saying, "You didn't do enough, you didn't analyze
19 enough." We got people on the other side saying, "You analyzed
20 too much," or "You exaggerated the comments," and that seemed
21 to be -- the balance seemed to go through all of those kinds
22 of comments.

23 One of the issues that came up was that there was some
24 disagreement in our using worst case analysis. There was feel-
25 ing that on some of the tracts we should not have considered

1 a full development or new mine worst-case kind of analysis; tha
2 at some point those tracts could be developed in other ways.
3 They could be developed as extensions of existing mines without
4 new surface facilities, or they could just be developed in a
5 different way with different kinds of mitigating measures.

6 The second issue that came up had to do with reclama-
7 tion and how we dealt with that. Again, we had comments that
8 said we exaggerated the problems, that it is not that difficult
9 to reclaim. On the other side -- well, to some extent that we
10 underestimated the problems but more it was a matter that
11 because we have identified reclamation problems, particularly
12 in Wyoming; therefore, we should not be leasing these tracts
13 at all, or a lot of the tracts in Wyoming.

14 We also had one particular issue that relates to
15 reclamation or to -- actually it relates to land use. We've
16 identified in a couple of cases where a couple of ranchers,
17 because their grazing rights on public lands will go out of pro
18 duction for a while, they may suffer severe losses in their
19 private lands. The major tract that that relates to is the Pyc
20 tract in the Rock Springs area. Again, even there, we got com-
21 ments both ways, that we've overstated the problem or that we've
22 understated the problem and there is concern that we are not
23 offering compensation to the rancher for the loss of public
24 grazing rights.

25 The third issue that came up was a lot of concern

1 about the actual need for leasing coal. Again, we got comments
2 from industry that said, "We're still very interested in the
3 particular tract. We do think you should lease that." In some
4 cases companies saying, "Well, our tract is in the low alterna-
5 tive so why don't you pick the low alternative."

6 We had a large number of comments, though, that
7 actually questioned -- questioned our analysis of how we
8 describe need, talk about need. Also questioning or objecting
9 to the need for leasing. The point there is that given the soft
10 market and given that we have identified in some cases signifi-
11 cant problems, particularly in reclamation, they question the
12 need for the high levels of leasing that are being proposed.

13 Our feeling on that one is that to some extent that's
14 something that needs to be brought to the attention of the RCT.
15 A good deal of that has to do with the decision-making process,
16 rather than with the EIS.

17 An additional problem is -- and this one has come up
18 several times already -- has to do with water resources,
19 hydrology. The bulk of the substantive comments have to do with
20 surface water problems rather than ground water problems. We
21 did not get too many comments on ground water. Again, the com-
22 ments ranged from, "You've overstated the problem," to "under-
23 stated the problems."

24 There's concerns about specific tracts. We have not
25 analyzed impacts adequately on specific tracts and some concerns

1 about methodology.

2 This area is probably our major concern for the EIS.
3 This is the area where we may have to make substantive changes.
4 As I say, we're still analyzing the comments, but we do have
5 concerns from the public and also from the State of Wyoming and
6 from the State of Colorado. This is the one area that may
7 affect our schedule. We are exploring or trying to explore a
8 number of options on this to talk with the states, to talk with
9 other federal agencies, with the Office of Surface Mining, which
10 is our cooperating agency, and see what we can come up with.

11 An additional problem or comments have to do with our
12 baseline. Again, both sides, that we have included too much
13 in the baseline and, therefore, that overshadows the federal
14 action, that the impacts sort of get drowned in the development
15 in the baseline, and some concern on the other side that we have
16 not included enough things in the baseline to give a full view
17 of what would really be happening out there.

18 An additional area is wildlife. We got a lot of com-
19 ments on wildlife. I don't think we're going to have any prob-
20 lems answering those comments. One of the concerns ran all the
21 way from we don't have the authority at all to stipulate or pro-
22 tect wildlife -- the BLM does not have the authority to do that
23 -- or toward the other end, and this was a concern not only with
24 wildlife but some other areas, that we do not have enough miti-
25 gation measures, that we were aligned too much on the state

1 regulatory processes; that we were relying too much on letting
2 the lessees come up with mitigation themselves in the mining
3 plants, at the mining plant stage. Well, actually, what they're
4 saying is letting the fox go to the hen house.

5 The final problem is -- okay, this is a question that
6 was raised by the State of Colorado and also by the National
7 Wildlife Federation, I believe, which we used to have a question
8 about, which is we have some concerns that we are not discussing
9 fully enough how the RCT got to the alternatives or developed
10 the alternatives and ranked tracts.

11 Our feeling is that we have summarized the RCT deci-
12 sions in the EIS and we don't quite see how we can do any more.
13 I guess what we're saying is, DeWitt, if you have any ideas
14 about what more we should be saying, we need to talk to you
15 about that.

16 The schedule for right now is that we are projecting
17 to have a final EIS out in late February of 1984, again,
18 assuming that we don't run into major problems with hydrology
19 or further additional problems.

20 Based on the comments that we have received, we do
21 not see any reason for analyzing any additional alternatives
22 or any different alternatives from what we have analyzed in the
23 EIS. Thank you.

24 CHAIRMAN ROBISON: Are there questions of Ms.
25 MacDonald by members of the team?

1 MR. JOHN: I would say that with regard to that last
2 comment you made, I guess I've always thought that people who
3 come to these meetings and stay awake through them all and read
4 the minutes can probably figure out what's happening, but not
5 everybody falls into those categories and sometimes the EIS
6 could explain a little bit more clearly stuff that's already
7 in fact on the record.

8 MS. MacDONALD: Okay. Thank you.

9 CHAIRMAN ROBISON: We would now like to give members
10 of the audience an opportunity to be heard relative to the
11 statement of Ms. MacDonald or relative to anything that might
12 really be related to the Draft EIS.

13 (Pause.)

14 MR. BRUCE HUMPHRIES: Good morning. My name is Bruce
15 Humphries and I work for Trapper Mining, Incorporated. Trapper
16 Mining, Incorporated, is a Colorado corporation that operates
17 a trapper mine, surface area coal mine, located near Craig,
18 Colorado. The following comments are provided as input to the
19 Environmental Impact Statement, Green River-Hams Fork Region,
20 Round 2.

21 The Draft EIS contains some basic concepts with which
22 we disagree. You will find specific examples provided in the
23 written comments submitted October 7th, 1983. The Bureau is
24 encouraged to consider the following points to redraft those
25 sections of the EIS to which these points are applicable.

1 Specifically, the Bureau has made the assumption that
2 worst case analyses are always appropriate, even when historical
3 data and/or compliance with existing regulations would indicate
4 otherwise. We agree that the concept of worst case analyses
5 where serious environmental or social harm may result based on
6 past experience or lacking adequate controls. Additionally,
7 it is appropriate where reliable data are lacking and there
8 exists a reasonable probability for an environmental and social
9 catastrophe.

10 After a review of the information presented in the
11 EIS and the availability of information from existing collabora-
12 tions, we cannot agree with the Bureau's application of worst
13 case analysis for this EIS.

14 As applied, the worst case assumptions compound one
15 another to result in unrealistic conclusions. The EIS as
16 drafted does not consider the effect of current regulations upon
17 potential impacts. A coal mining operation must adhere to all
18 rules, regulations, and commitments made within its various per-
19 mits. These include controls to meet air, water quality cri-
20 teria, and commitments to provide specific means of mitigating
21 effects from mining and reclamation activities.

22 The Draft EIS leaves one with the impression that
23 such controls do not exist or that mines will operate out of
24 compliance with such rules and regulations.

25 We believe it is inappropriate to assess environmental

1 impacts without considering the effectiveness of present laws,
2 regulations and existing permanent commitments. We therefore
3 urge the Bureau to recognize regulatory influences upon poten-
4 tial environmental impacts and to redraft appropriate sections
5 of this EIS.

6 An additional concern we have with this EIS is a ten-
7 dency to lump items affected by the proposed federal action into
8 impact categories. The Bureau has done this in some instances
9 with apparent disregard for existing conditions. The result
10 is an inaccurate assessment of potential impacts by potential
11 land-use planners.

12 We maintain that the purpose of an environmental
13 impact statement is to provide government, industry and the gen-
14 eral public with an accurate analysis of the probable effects
15 of proposed federal actions. The Green River-Hams Fork EIS,
16 as written, does not fulfill this goal. The document should
17 be redrafted with emphasis placed upon providing an accurate
18 picture of anticipated impacts.

19 In our estimation the existing document does not give
20 the degree of confidence necessary for planners to make
21 appropriate decisions. We thank the Bureau for the opportunity
22 to comment.

23 CHAIRMAN ROBISON: Thank you, Mr. Humphries. If I
24 understood you correctly, the comments you have just delivered
25 have already been made available in written form to the BLM

1 for consideration in connection with the EIS process?

2 MR. HUMPHRIES: That's right.

3 CHAIRMAN ROBISON: Good. Are there any questions of
4 Mr. Humphries?

5 (No response.)

6 CHAIRMAN ROBISON: Apparently there are none. Thank
7 you very much.

8 Other comments from the public?

9 (No response.)

10 CHAIRMAN ROBISON: There is no indication that -- a
11 hand in the back, yes?

12 MR. ROBERT SHANKS: Mr. Chairman, my name is Robert
13 Shanks. I'm with "Arc" Land Company from St. Louis, Missouri.
14 We submitted written comments in, I believe, September, con-
15 cerning the Draft EIS and since that time there's been consider-
16 able attention in the press concerning possible impacts of any
17 development in the Pyo tract on local ranching operations and
18 we would just like to state for the record that the Salt Wells
19 Livestock Company controls over a quarter of a million federal
20 grazing acres in Sweetwater County and we would like to expand
21 our comments to show that we doubt whether the development of
22 the Pyo tract, which contains 5600 acres, would significantly
23 impact the grazing operation of that ranch, and we would also
24 like the record to show that we have met with representatives
25 of the Salt Wells Livestock Company to discuss any mutual

1 problems which we have had and will further attempt to work out
2 any differences which might develop in the future. Thank you.

3 CHAIRMAN ROBISON: Thank you for your statement, Mr.
4 Shanks. Any questions from members of the RCT?

5 (No response.)

6 CHAIRMAN ROBISON: Thank you, sir. Further public
7 comment?

8 (No response.)

9 CHAIRMAN ROBISON: It appears that there is none.
10 That being the case, we will move on to Item No. 5 on the agenda
11 which appears to be a rather catchall item and we will repair
12 to Mr. Kenneth Smith to lead the discussion in that regard.

13 MR. SMITH: The next meeting is to concern itself with
14 final recommendations to the Secretary. There are a number of
15 items that the staff have been considering for some time, par-
16 ticularly the small business set-aside question and the public
17 body set-aside question, which have become controversial in
18 other places at other times.

19 We feel that it is appropriate to place before the
20 general public and the Regional Coal Team some of our concerns
21 and, at the present time, our proposed recommendations. There
22 may be some matter also on this list which the Regional Coal
23 Team may want to consider in more depth today also, or perhaps
24 to redirect our efforts. That's the reason for the agenda item.
25 We try not to surprise parties who are interested in coal

1 leasing or the general public or the state members of the
2 Regional Coal Team, and that is the purpose of this particular
3 exercise.

4 The first tract is the Horse Gulch tract and that
5 comes under the status of the Small Business Administration Set-
6 Aside Proposal. Those of you who have been tracking us are
7 aware that the Horse Gulch tract is not BLM's favorite tract.
8 It consists of about 4,000 acres. It has about 7.1 million tons
9 of total recoverable coal on it.

10 "MNS" and now our own staff called to our attention
11 that they did not consider this a viable tract. It came
12 originally from an expression of interest from the Mineral
13 Resources Land Company which has since indicated that they are
14 no longer interested in that particular piece of ground.

15 However, about the time the Mineral Resources Land
16 Company was letting us know that, we received another expression
17 of interest from "Andriver" & Associates on the same tract.
18 That being the case, we did not feel that we could knock this
19 tract out of the process earlier, and it has proceeded through
20 as a low-ranked tract.

21 We have not lately been able to talk to Andriver &
22 Associates to determine just how serious they are about this
23 particular piece of ground, and the staff will continue making
24 efforts to do so until we are successful. However, we thought
25 we had best open this up to the public and let you know that

1 we still don't like this tract and we will do our best to see
2 that it is not leased.

3 That puts us in the situation of now having a Small
4 Business Set-Aside tract in this round of coal leasing. Look-
5 ing at the regulations, we feel that that is in this circum-
6 stance appropriate.

7 If there is a small business out there that is still
8 contemplating this tract and hasn't talked to us, other than
9 those which have had discussions with us, we would welcome any
10 comments from those parties.

11 Are there any comments from the Regional Coal Team
12 or its ex-officio members about the viability of proceeding wit
13 this particular tract?

14 (No response.)

15 MR. SMITH: The second matter is public body set-
16 asides and proposed staff recommendations. In Colorado we have
17 the Prarie Dog tract which was an expression of interest by
18 Western Fuels - Utah. As recently as a month ago, Western Fuels
19 Utah indicated that they were still interested in this tract
20 as a public body set-aside. It is adjacent to their operations
21 that are being constructed now in the Rangely area.

22 There were no other expressions of interest from any
23 other party. The problem in that part of the country being
24 basically transportation and Western Fuels-Utah controls the
25 electric railroad.

1 The staff at this point in time is intending to recom-
2 ment that that tract be a public body set-aside.

3 The White Pine Power Project expressed interest in
4 southwestern Wyoming in an area that we delineated two tracts
5 which might have met their expression of interest; the Lucite
6 Hills tract and the Point of Rocks tract. As you heard earlier
7 today, the Point of Rocks tract is being considered a possible
8 exchange tract.

9 The Lucite Hills tract had between four and five
10 expressions of interest on it. It's quite interesting to the
11 public. It's a little bit off of the available transportation
12 route. It has some problems with wildlife and some other mat-
13 ters but does seem to meet the expressions of interest of at
14 least five parties.

15 We have indicated, at least in a draft letter -- I
16 don't believe it has been signed yet -- to White Pine Power
17 Project that under the circumstances we cannot see offering this
18 tract to the public body set-aside. The last communication we
19 had with the company which was circulated to the Regional Coal
20 Team when it was received indicated that White Pine Power
21 Project had delayed their development plans and that though they
22 were not now in a position to lease coal in Wyoming, they would
23 appreciate it if the Regional Coal Team would inventory appro-
24 priate public body tracts for future sales rather than offer
25 those tracts at this time this round of leasing.

1 There is no provision in the existing regulations for
2 this kind of inventory process. That in and of itself makes
3 us awfully reluctant to elaborate on a program that is best
4 elaborated on by the policy-makers.

5 Beyond that, given the status of the project, we see
6 no way that we can make a recommendation to inventory tracts
7 to the Regional Coal Team. The only tract that, based on our
8 looking at their expression, would be Lucite Hills and we will
9 recommend that tract as -- if we recommend it for leasing; we're
10 not done with this process yet -- but if we recommend it for
11 leasing, we will recommend that tract for normal leasing.

12 That brings us to industry exploration activities and
13 I appreciate the comments that --

14 MR. McKEE: Ken?

15 MR. SMITH: Yes.

16 MR. McKEE: Before we make decisions on this tract
17 I hope we have some competition from this end of the table, too,
18 on that tract.

19 MR. SMITH: Right. We talked about where the staff
20 was going on that particular tract previously, and I wouldn't
21 change that at this point in time.

22 MR. McKEE: There's been some changes as a result of
23 this changed proposal --

24 MR. SMITH: Right, right.

25 MR. McKEE: Perhaps we need to get together and

1 rethink this.

2 MR. SMITH: Okay. The next one is industry explora-
3 tion activities. We've had one presentation on that. I only
4 wanted to call to the Regional Coal Team's attention the fact
5 that there are two tracts not in the preferred leasing alterna-
6 tive that are now undergoing exploration; the Williams Fork
7 Mountain tract, which has already been discussed, and the North-
8 east Cow Creek tract in Wyoming.

9 An exploration license is a very definite expression
10 by industry that they are interested in leasing that particular
11 piece of ground. And as long as we are combining items on the
12 agenda, I think I'll just handle No. 6 at this time, too; sche-
13 duling of the next meeting.

14 Our current schedule calls for us to hold the meeting
15 February 29th. The opportunity to participate in Leap Year
16 being what it is, I can barely pass up that opportunity. I hope
17 that we will stay on schedule and that we will be able to hold
18 a meeting that day.

19 The hydrology questions which have been discussed and
20 will continue to be discussed by this staff and we're hoping
21 that they will not delay the final product in this area. We're
22 not sure that that's the case at the moment, however.

23 Nothing further, Mr. Chairman.

24 CHAIRMAN ROBISON: Thank you.

25 MR. JOHN: Can I ask a question?

1 CHAIRMAN ROBISON: Go ahead.

2 MR. JOHN: What's the schedule for the final EIS, Ken

3 MR. SMITH: Let's see. That would be about the 22nd,
4 isn't it, Carol?

5 MS. MacDONALD: The 24th.

6 MR. SMITH: The 24th.

7 MR. JOHN: Of what?

8 MR. SMITH: Of February.

9 MR. JOHN: So when are you all done with it here in
10 Colorado? When do you finish? When do you send your EIS back
11 east?

12 MS. MacDONALD: For review?

13 MR. JOHN: Yes.

14 MS. MacDONALD: About December 6th. That's the pre-
15 liminary final EIS.

16 MR. JOHN: And then it must go to the printer about
17 the beginning of February?

18 MS. MacDONALD: Yes.

19 MR. McKEE: So you intend to have it by the 24th of
20 February?

21 MR. SMITH: At the present time, yes.

22 MR. McKEE: Any support you need from Wyoming on that

23 MR. SMITH: We're going to collect it. We've already
24 started talking.

25 MR. McKEE: I understand there's some briefing

1 requirements?

2 MR. SMITH: Yeah. On that, if some of the more key
3 members of this exercise would stay after this meeting for a
4 few minutes, you and I can talk briefly about Secretarial-issue
5 documents and just how much review you want of our draft before
6 we wander back to Washington with it.

7 CHAIRMAN ROBISON: Thanks, Ken. At this time I'd
8 invite any public comments that persons may wish to make on the
9 items just addressed by Mr. Smith, or on any other items that
10 are germane to the purposes of our meeting here today.

11 MS. MARY HAVENS: I have a comment on Carol
12 MacDonald's previous comments. First of all, my name is Mary
13 Havens, and I did write comments for the National Wildlife
14 Federation on the ranking issue, and my questions were based
15 on the fact that only two pages were written in the Draft
16 Environmental Statement directing the issue of ranking, and it
17 wasn't clear to me how the economic factors were used; I mean
18 the economic factors were considered the number one factor.
19 It wasn't clear whether or not that was the first priority, but
20 it was listed first so it gave the reader the impression that
21 it was the highest priority, and that was my question. What
22 were the priorities?

23 Was coal economics the first priority? It was listed
24 first but was it the first priority?

25 CHAIRMAN ROBISON: Go ahead, Ken, do you want to

1 respond to that?

2 MR. SMITH: Let me deal with that one. Since I'm the
3 guy that handed out the list, persuaded the Regional Coal Team
4 that that was a pretty good list and they agreed.

5 The purpose of that list is not to prioritize any of
6 those items. The purpose of the list is to set out the items
7 that you're going to consider. The instructions that were given
8 to the BLM representatives -- the instructions that were given
9 to the BLM staff in Colorado and the discussions we had with
10 the staff in Wyoming were that if looking at a particular tract
11 you found a resource or a concern which was so grave that it
12 reflected upon the entire usefulness of that particular tract
13 or the desirability of that tract, then that tract would be
14 knocked out for one reason and one reason alone.

15 As you know, some of those items on that list might
16 be more equal than others, but it's really a case-by-case analy-
17 sis and we tried to encourage, from the staffing side -- we
18 tried to encourage looking at every one of those, weighing every
19 one of those and then making a decision overall as to what kind
20 of sense that tract made.

21 Now, those recommendations were passed on to the BLM
22 representatives prior to the meeting and at the meeting the RC
23 members, of course, followed their own inclinations and the
24 advice of their staffs so that the states may have weighed
25 things differently than we did; and they did as a matter of

1 fact.

2 The best example of that probably is the hydrology
3 issue and you can see that today in the discussion that we had
4 on the Bell Rock tract. The state's position was quite a bit
5 different than ours.

6 CHAIRMAN ROBISON: Anything else? Any other public
7 comments?

8 (No response.)

9 CHAIRMAN ROBISON: It appears that no one else wants
10 to speak. Let's turn then to discussion by members of the RCT.
11 Any comments that any of you gentlemen might wish to make?

12 MR. JOHN: I've got one. We just got a memo a couple
13 days ago from Steve "Graul," the deputy assistant secretary,
14 sending along a copy of the memo, the internal BLM memo. He
15 says that it's BLM policy that there will not be any socioeco-
16 nomic or transportation lease stipulations. I won't ask the
17 Regional Coal Team to do anything about that at this point but
18 we in Colorado aren't particularly happy with that at all.

19 In my contacts with local governments it indicates
20 that there's some dissatisfaction with that point as well.
21 Ideally we would like it to be clear that socioeconomic and
22 transportation issues can be managed by the states and local
23 governments. Unfortunately, with the legal tangles (inaudible).
24 We've been over this at previous meetings, but we think that
25 in the current situation it would be desirable if the BLM does

1 not want to have socioeconomic and transportation lease stipu-
2 lations, then we would like to see a nice straight forward lease
3 stipulation clarifying who does have responsibility to manage
4 those kinds of impacts. I wanted to just make that statement
5 for the record. I realize it's not something for the Team or
6 really any of the people on the team has the power to do any-
7 thing about.

8 CHAIRMAN ROBISON: Well, I think that's fine. You've
9 made your statement and it is on the record, and I don't suppose
10 any of us on the federal side are prepared to respond to it.

11 Any other comments?

12 (No response.)

13 CHAIRMAN ROBISON: Then before we adjourn, let us
14 quickly address the question of the scheduling of the next meet-
15 ing. This has been indicated that's tentatively scheduled for
16 February 29, 1984. Is that a date that's satisfactory to mem-
17 bers of this team?

18 MR. McKEE: I would hope, Mr. Chairman, that it would
19 be confirmed a little bit later and set up formally.

20 CHAIRMAN ROBISON: Well, all right. We'll throw out
21 on the table that that is the tentative date. In discussion
22 with principals at some time between now and then we'll confirm
23 it, and we also will confirm a place.

24 MR. McKEE: Cheyenne would be nice that time of year.
25

1 MR. JOHN: Vail.

2 MR. McKEE: Okay, you won.

3 MR. SMITH: Go to Steamboat. At least it's in the
4 region.

5 CHAIRMAN ROBISON: Before this gets completely out
6 of hand -- because my own suggestion would be Acapulco --
7 the Chairman declares the business of this particular meeting
8 concluded and it is adjourned.

9 (Whereupon, at 12:10 o'clock p.m., the meeting was
10 closed.)


CERTIFICATE

This is to certify that the attached proceedings before:
U. S. Dept. of the Interior, Bureau of Land Management

In the matter of: Green River-Hams Fork Regional Coal
Team

At Denver, Colorado, DATE: October 20, 1983

was held as herein appears, and that this is the original
transcript thereof for the file of the Department.


OFFICIAL REPORTER
FEDERAL REPORTING SERVICE, INC.
17454 E. Asbury Place
AURORA, COLORADO 80013

APPENDIX 1

Agenda



Green River-Hams Fork Coal Team Meeting

October 20, 1983

Travelodge North, Denver, Colorado

1. Call to Order - Chairman
2. Approval of Minutes of last meeting
3. Indian Springs, Fish Creek, Corral Canyon, Bell Rock and Point of Rocks Tracts; PRLA's - Kenneth Smith
 - a. Background
 - b. Recommendations
 - c. Public Comments
 - d. RCT Discussion
4. Public Comment, Draft EIS - Carol MacDonald
 - a. Public Hearings
 - b. Written Comments
 - c. Recommendations
 - d. EIS Schedule
 - e. Public Comment
 - f. RCT Discussion
5. Other issues not now requiring action - Kenneth Smith
 - a. Status of SBA Set Aside Proposal and Proposed Staff Recommendations
 - b. Status of Public Body Set Asides and Proposed Staff Recommendations
 1. Prairie Dog Tract
 2. White Pine Power Project
 - c. Industry Exploration Activities
 - d. Public Comment
 - e. RCT Discussion
6. Scheduling of Next Meeting
7. Adjournment

APPENDIX 2
Public Notices

Dated: September 9, 1983.
 Carl E. Miller,
California Desert District Manager.

Dated: September 16, 1983.

J. Darwin Saell
Yuma District Manager.

[FR Doc. 83-25873 Filed 9-21-83; 8:45 am]
 BILLING CODE 4310-84-M

[H 48372-C]

Montana; Conveyance of Public Land

September 16, 1983.

AGENCY: Bureau of Land Management,
 Montana State Office, Interior.

ACTION: Notice of Conveyance of Public
 Land in Lewis and Clark County,
 Montana.

SUMMARY: Notice is hereby given that
 pursuant to Section 203 of the Act of
 October 21, 1976 (43 U.S.C. 1713 (1976)),
 the following described land was
 conveyed to David E. Seena R., Glen A.
 and David J. Walker:

Principal Meridian, Montana

T. 14 N., R. 3 W.,
 Sec. 34, lot 15.

The area described contains 0.05 acre.

The purpose of this notice is to inform
 state and local governmental officials
 and other interested parties of the
 conveyance of the land to the Walkers.
 Edgar D. Stark,

Chief, Lands and Adjudication Section.

[FR Doc. 83-25872 Filed 9-21-83; 8:45 am]
 BILLING CODE 4310-84-M

Regional Coal Team Meeting; Green River-Hams Fork Region Colorado and Wyoming

AGENCY: Bureau of Land Management,
 Interior.

ACTION: Public notice.

SUMMARY: This notice advises the public
 that the Regional Coal Team for the
 Green River-Hams Fork Federal Coal
 Production Region will meet to: (1)
 Review and analyze public comments
 on the Draft Environmental Impact
 Statement for Round II leasing in this
 coal region; (2) review the results of
 public hearings on the Draft EIS held in
 the Region; (3) consider the need for
 revising tract ranking and selection and
 give the EIS team appropriate direction
 for the final EIS; (4) allow public
 comment on the inclusion of Indian
 Springs tract in the preferred leasing
 alternative; (5) consider other pending
 issues in this coal region, including but
 not limited to Small Business
 Administration set-asides, public body

set-asides, and industry tract
 exploration activities.

DATE: The Regional Coal Team will meet
 October 20, 1983 at 10:00 a.m.

ADDRESS: Travelodge North, 209 West
 46th Avenue, Denver, CO 80218.

FOR FURTHER INFORMATION CONTACT:
 Ken Smith, Bureau of Land
 Management, Colorado State Office—
 CO-921, 1037 20th Street, Denver, CO
 80202, (303) 234-2855.

SUPPLEMENTAL INFORMATION: Material
 concerning the Round II coal leasing
 effort in this region including the Draft
 EIS and tract profile delineation
 documents can be obtained from the
 Colorado State Office, Bureau of Land
 Management at the above address.

Comments on the Regional Coal
 Team's Agenda may be submitted to
 Ken Smith.

September 16, 1983.

George C. Francis,
State Director, Colorado.

[FR Doc. 83-25874 Filed 9-21-83; 8:45 am]
 BILLING CODE 4310-84-M

Uinta-Southwestern Utah Regional Coal Leasing; Regional Coal Team Meeting

ACTION: Notice of regional coal team
 meeting.

SUMMARY: This notice is to advise the
 public that the Regional Coal Team
 (RCT) for the Uinta-Southwestern Utah
 Federal Coal Production Region will
 meet to make final RCT
 recommendation to the Secretary of
 Interior concerning Round II competitive
 coal lease consideration. The RCT will
 make recommendation on: (1) specific
 tracts for lease sale; (2) special leasing
 opportunities; (3) the lease sale
 schedule.

DATE: The Regional Coal Team will meet
 on October 18, 1983, starting at 10:00
 a.m.

ADDRESS: Any comments on the agenda
 items should be addressed to Edward F.
 Spang, Chairman, Regional Coal Team,
 Nevada State Director, Bureau of Land
 Management, P.O. Box 12000, Federal
 Building, 300 Booth Street, Reno, Nevada
 89520.

The Regional Coal Team Meeting will
 be in Room No. 128 at the Salt Palace,
 109 South West Temple Street, Salt Lake
 City, Utah.

FOR FURTHER INFORMATION CONTACT:
 Max Nielson, Coal Project Manager,
 Uinta-Southwest Utah Region, Bureau of
 Land Management, 136 East South
 Temple, Salt Lake City, Utah, telephone
 (801) 524-5326.

SUPPLEMENTARY INFORMATION: The RCT
 will meet on October 18, 1983, at 10:00
 a.m. in the Salt Palace. The RCT will
 make final recommendation at this
 meeting to the Secretary of Interior on
 Round II leasing. Opportunity will be
 provided for public comment on any of
 the issues being considered. A verbatim
 transcript will be kept of the meeting
 which will be available with payment of
 a copy fee.

Material concerning the Round II
 potential lease sale including the Final
 EIS and information on potential lease
 tracts can be obtained by contacting the
 Bureau of Land Management Public
 Room at the Utah State Office 14th floor,
 University Club Building, 136 East South
 Temple, Salt Lake City, Utah.

Roland Robison,

State Director, Utah.

[FR Doc. 83-25875 Filed 9-21-83; 8:45 am]
 BILLING CODE 4310-84-M

Minerals Management Service

Report on Outer Continental Shelf Oil and Gas Blowouts, 1979-1982 Open- File Report 83-552

AGENCY: Minerals Management Service,
 Interior.

ACTION: Notice of availability of report
 on blowouts.

SUMMARY: The report presents data on
 the 31 blowouts which occurred on the
 Outer Continental Shelf (OCS) from 1979
 through 1982. The information is also
 compared with data for earlier periods.

Sixteen blowouts occurred while
 drilling 4,449 wells. Only one blowout
 occurred during the production of 1,171
 million barrels of oil and oil condensate
 and 19 trillion cubic feet of natural gas.
 Twenty fatalities occurred, and one
 mobile drilling vessel and two platform
 rigs were destroyed. Nineteen blowouts
 (61 percent) were controlled within a
 day. Only one blowout required a relief
 well to regain control. No identifiable
 environmental damage was caused by
 the 65 barrels of oil lost into the
 environment during two of the blowouts.

The rate of drilling blowouts per wells
 started has been decreasing since 1978;
 however, the number of blowouts
 occurring during completion and
 workover operations had increased in
 recent years. The time required to regain
 control of a blowout has been
 decreasing. The amount of oil spilled
 during nondrilling operations has
 decreased to less than one-tenth of what
 it was during the early 1970's and to less
 than one one-thousandths of the amount
 lost during the late 1960's. During the

I, Nina Blackburn
City and County of Denver, of lawful age, being first duly sworn on oath,
depose and say:

Assistant
Acct. Supervisor

That I am the of THE DENVER POST,
INC., a Colorado corporation; that said company is the owner and
publisher of the newspaper, THE DENVER POST; that I have personal
knowledge of all the facts set forth in this affidavit; that said THE
DENVER POST is a daily newspaper within the meaning of Chapter 109,
Article 1, Sections 1 to 8, Inclusive, Colorado Revised Statutes of 1953,
and amendments thereof; and that said newspaper had prior to January
1, 1936, and has ever since that date, been admitted to the United States
mails as second-class matter, under the provisions of the Act of Congress
of March 3, 1879, and amendments thereof; that said newspaper is
printed and published daily and has its principal office and place of
business in said City and County of Denver, and has a general public
circulation in said City and County, and throughout the State of Colo-
rado; that said newspaper has been so printed, published and circulated
as a public daily newspaper of general circulation uninterruptedly and
continuously during the period of more than six (6) months next prior
to the first issue thereof containing the annexed legal notice and
advertisement.

The annexed legal notice and advertisement was published on

..... September 22, 1983
(Dates)

.....
(Dates)

In the regular Editions of said Newspaper, and that, therefore, said legal
notice and advertisement were published in a Newspaper duly qualified
for that purpose within the meaning of said above mentioned and all
other relevant Statutes and Acts of the General Assembly of the State
of Colorado.

..... Nina Blackburn

Subscribed and sworn to before me this 22nd day of

..... September, A. D. 1983...

My commission expires June 19, 1986

Witness my hand and notarial seal.

..... Gilda Gallegos

Notary Public.

Ad appeared in class 1170

DEPARTMENT OF
THE INTERIOR
Bureau of Land Management
Notice of Regional
Coal Team Meeting:
Green River-Hams Fork Region
Colorado and Wyoming, AGEN-
CY: Bureau of Land Manage-
ment, Interior, ACTION: Public
Notice, SUMMARY: This notice
advises the public that the Region-
al Coal Team for the Green River-
Hams Fork Federal Coal Produc-
tion Region will meet to: (1)
Review and analyze public com-
ments on the Draft Environmen-
tal Impact Statement for Round II
leasing in this coal region, (2) re-
view the results of public hearings
on the Draft EIS held in the Re-
gion; (3) consider the need for
revising tract ranking and selec-
tion and give the EIS team ap-
propriate direction for the final
EIS; (4) allow public comment on
the inclusion of Indian Springs
tract in the preferred leasing al-
ternative; (5) consider other
pending issues in this coal region,
including but not limited to Small
Business Administration set-
asides, public body set-asides, and
industry tract exploration activi-
ties. DATE: The Regional Coal
Team will meet October 20, 1983 at
10:00 a.m. ADDRESS: Travel-
Lodge North, 200 West 48th Ave-
nue, Denver, CO 80216. FOR
FURTHER INFORMATION
CONTACT: Ken Smith, Bureau of
Land Management, Colorado
State Office - CO-921, 1037 20th
Street, Denver, CO 80202. (303)
234-2055. SUPPLEMENTAL IN-
FORMATION: Material concern-
ing the Round II coal leasing ef-
fort in this region including the
Draft EIS tract profile delineation
documents can be obtained from
the Colorado State Office, Bureau
of Land Management at the above
address. Comments on the Re-
gional Coal Team's Agenda may
be submitted to Ken Smith
George C. Francis
State Director, Colorado
Sep 16 1983

SEP 22 1983



COLORADO

BLM

BUREAU OF LAND MANAGEMENT

UNITED STATES

FOR RELEASE

October 12, 1983

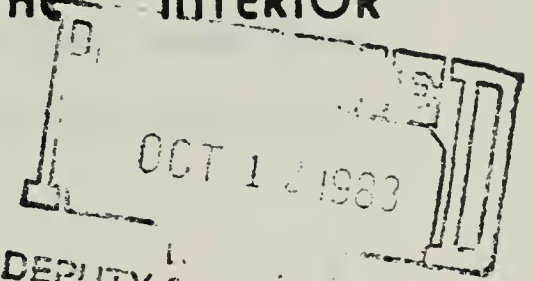
CONTACT

HINTON/ARCHER (837-6486)

News Release

DEPARTMENT OF THE INTERIOR

BLM REGIONAL COAL TEAM TO MEET OCTOBER 20



One of the busiest agendas in its history faces the Bureau of Land Management's (BLM) Regional Coal Team when it meets October 20, 1983, in Denver, according to George C. Francis, Colorado BLM State Director.

Francis said the public meeting will open at 10:00 a.m., at the Travelodge North, 200 West 45th Avenue, Denver, CO, with discussions centering on: (1) review and analysis of public comments on the draft environmental impact statement (EIS) for Round II leasing in this coal region; (2) review the results of public hearings on the draft EIS; (3) consider the need for revising tract ranking and selection and give the EIS team appropriate direction for the final EIS; (4) allow public comment on the inclusion of Indian Springs tract in the preferred leasing alternative; and (5) consider other pending issues in this coal region, including Small Business Administration (SBA) set-asides, public body set-asides, and industry tract exploration activities.

The Regional Coal Team was organized August 14, 1979, under the chairmanship of the BLM State Director from Utah. Other members are: BLM State Directors from Colorado and Wyoming, and representatives of the Governors of Colorado and Wyoming.

The team has responsibility for the Green River-Hams Fork federal coal production region which includes all or part of Albany, Carbon, Sweetwater, Sublette, Lincoln, and Uinta counties in Wyoming; and Routt, Moffat, Jackson, Grand, and Rio Blanco counties of Colorado.

- M O R E -

Further information is available from Ken Smith, Bureau of Land Management, Colorado State Office, 1037 20th Street, Denver, CO 80202 telephone (303) 234-2855.

- E N D -

APPENDIX 3

Attendance

Meeting: Green River - Hams Fork Coal Region

Location: Travel Lodge North, Denver, CO

Time/Date: Oct. 20, 1983

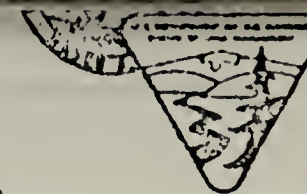


Name Address Representing
(self/organization/affiliation)

Kenneth P. Smith	1037 20th Street Denver, CO	CSO, BLM
Betsy Daniel	BLM, Denver	
Mike Glasson	AMCA Coal Leasing, Price Utah	PO Box 1027
PAMELA Lewis	BLM, Cheyenne	
Dawn Janowski	555 17th St, Denver, CO 80202	Aracoma Minerals Co.
Howard Clearinger	1720 S Bellaire Denver CO 80222	Pittsburg & Midway Coal Company
Paul Mock	" " "	" " "
DAVID CONER	" " "	" " "
TERRY J. HARTMAN	7955 E. Arapahoe Ct. Englewood CO	PERC Consultants
Robert Webster	41 N Redwood Rd. SLC, Utah	Utah Power & Light Co
Juanita Oyler	PO Box 15479 SLC Utah 84115	Utah International
Clifford Hanson	Box 17772 Denver	Mob. I
JOE PATTI	P.O. Box 1829, CHEY., WYO. 82003	WSO, BLM
Stan McKee	" " " "	" "
John Carlson	BLM Washington D.C.	BLM
Judy Moffitt	BLM - WSO	
Rick Hunter	BLM CSO	BLM
Betsy Allen	BLM - Craig PO	"

Location:

Time/Date:



Name

Address

Representing
(self/organization/affiliation)

THOMAS L. HARRIS	1101 1/2 N. 1000 E.	UTAH POWER & LIGHT CO.
DAN HARRIS	1101 1/2 N. 1000 E.	UTAH POWER & LIGHT CO.
JACK Cuddy	P.O. Box 340 HANNA, WY.	ARK LAND CO.
Robert W. Shanks	500 N. Broadway - Suite 1800 St. Louis, Mo 63102	Arch Mineral Corp
Robert Morse	14 INVERNESS DR E., Bldg. F, Suite 148, Englewood, CO 80112	Consolidation Coal Co.
Charles W. Margolf	3333 QUEBEC ST. DENVER, CO	W.R. GRACE & CO
Monte Reed	" " " "	COLONY COAL COMPANY
R.P. REGAN	P.O. Box 2330 ^{LITTLETON} CO. 80101	DORCHESTER Coal Co.
Joseph Goforth	P.O. Box 35B Lakewood, CO 80226	Sunco Coal Co.
Dan Robin	D. & M. Fed Ctr 80225	US Geol. Survey
James W. Shaw	Box 2000 Broomfield CO 80020	Rocky Mountain Energy
Jim Osborn	P.O. Box 7900 SALT LAKE CITY, Utah	Getty
Ken Munster	1405 CURTIS ST. DENVER	Small Business Admin
THOMAS SLATER	130 EAST SOUTH TEMPLE 130 EAST SOUTH TEMPLE SALT LAKE CITY 84111	BLM - UTAH

Meeting:

Location:

Time/Date:



Name

Address

Representing
(self/organization/affiliation)

David Bray	Craig Dist.	BLM
Greg Anderson	Craig Dist.	BLM
Frank Stowell	Rock Springs District	BLM
Carol MacDonald	Craig Dist.	BLM
Mr R.C. Townsend	2760 S. Xanadu Way, Aurora	Freeman United Coal Mining Co.
Neil Shelling	Denver	OJM
GARY MYERS	SALT LAKE CITY	GETTY Oil
MICHAEL KONDELIS	STANB SPRINGS	CYCC / GETTY
Bruce Humphries	P.O. Box 187 Craig, CO	Trapper Mining Inc.
Steve Wind	BLM - Rock Springs	
Roger Ross	SALT LAKE CITY	Getty Oil Co.
J.B. Getrock	Houston	Eppson
Don Dobrak	PO Box 28486 Denver CO	Feasibility Service
Dale H. Hoffman	"	"
Ron Finkel	USFWS 730 Simms Golden Co. 80401	U.S. Fish & Wildlife
S.G. RATNER	3 Park. Centre, 1515 Alapahoe	Energy fuels
* Ed MEYER	111 SW Columbia, Portland, OR 97201	NERCO Mining Company
Tom Elson	1117 West 8th Ave. Lakewood CO.	USDA - Forest Service

APPENDIX 4
Team Membership



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
 COLORADO STATE OFFICE
 1037 20th STREET
 DENVER, CO 80202

October 1, 1983

Green River-Hams Fork

Regional Coal Team

Membership

Roland G. Robison
 BLM State Director, Utah (Chairman)
 1400 University Club Building
 136 East South Temple
 Salt Lake City, Utah 84111
 (801) 524-5311; FTS 588-5311

Alternate: Tom Slater
 (801) 524-5431; FTS 588-4257
 Facsimile No.: FTS 588-5486

George Francis
 BLM State Director, Colorado
 (Lead State Director)
 1037 20th Street
 Denver, Colorado 80202
 (303) 837-4325; FTS 327-4325

Alternate: Frank Salwerowicz
 Deputy State Director
 for Mineral Resources
 (303) 234-2855; FTS 234-2855
 Facsimile No.: FTS 234-4629

Maxwell Lieurance
 BLM State Director, Wyoming
 2515 Warren Avenue
 P. O. Box 1828
 Cheyenne, WY 82003
 (307) 772-2220; FTS 328-2326

Alternate: Stan McKee
 Wyoming Coal Coordinator
 (307) 772-2569; FTS 328-2569
 Facsimile No.: FTS 328-2491

Richard D. Lamm
 Governor, State of Colorado
 State Capitol Building
 Denver, Colorado 80203

Alternate: DeWitt John
 Colorado Department of Natural Resources
 1313 Sherman Street, Room 718
 Denver, Colorado 80203
 (303) 866-3311

Ed Herschler
 Governor, State of Wyoming
 State Capitol Building
 Cheyenne, Wyoming 82001

Alternate: Warren White
 State of Wyoming
 State Planning Coordinator's Office
 2320 Capitol Avenue
 Cheyenne, Wyoming 82001
 (307) 777-7574

Ex Officio Members

2

William E. Martin
U. S. Fish and Wildlife Service
P. O. Box 25486
Denver Federal Center
Denver, Colorado 80225
(303) 234-4619; FTS 234-4619

Alternate: Robert Jacobson
U. S. Fish and Wildlife Service
Federal Building, Room 1311
125 South State Street
Salt Lake City, Utah 84138
(801) 524-5630; FTS 588-5630

Joe Kennedy
Superintendent
Dinosaur National Monument
Dinosaur, Colorado 81610
(203) 374-2216

Alternate: Mary Ann Grasser
National Park Service
Air Quality Service
P. O. Box 25287
Denver, Colorado 80225
(303) 234-6419; FTS 234-6419

Lyle Rising
Regional Solicitor
Department of the Interior
P. O. Box 25007
Denver Federal Center
Denver, Colorado 80225
(303) 234-6781; FTS 234-6781

Alternate: None

Mel Shilling
Office of Surface Mining
1020 15th Street, Brooks Towers
Denver, Colorado 80202
(303) 837-5966; FTS 327-5966

Alternate: Floyd Johnson
Office of Surface Mining
1020 15th Street, Brooks Towers
Denver, Colorado 80202
(303) 837-5966; FTS 327-5966

Milt Robinsonn
Forest Service
11177 W. 8th Ave
P. O. Box 25127
Lakewood, CO 80225
(303) 234-3906; FTS 234-3906

Alternate: Douglas W. Larson
Medicine Bow National Forest
605 Skyline Drive
Laramie, Wyoming 82070
(307) 745-8971; FTS 328-0181

Kenneth Meister
Small Business Administration
1405 Curtis Street
Denver, Colorado 80202
(303) 837-3686; FTS 327-3686

Alternate: None

State of ColoradoEx Officio Members

Tim Schultz
Rio Blanco County Commissioners
P. O. Box 599
Meeker, Colorado 81641
(303) 878-4001

Don Clifton
Moffat County Commissioners
221 West Victory Way
Craig, Colorado 81625
(303) 824-5484

Bob McKune
Routt County Commissioners
P. O Box 773598
Steamboat Springs, Colorado 80477
(303) 879-0108

State of WyomingEx Officio Members

None

Staff, Green River-Hams Fork

Ken Smith
Acting Project Manager
Colorado State Office
1037 20th Street
Denver, Colorado 80202
(303) 234-2855; FTS 234-2855

Stan McKee
Coal Coordinator
Wyoming State Office, BLM
2515 Warren Avenue
P. O. Box 1828
Cheyenne, Wyoming 82003
(307) 772-2569; FTS 328-2569

John Carlson
Washington Office Coordinator
BLM, Interior Building
18th and "C" Streets, NW
Washington, D.C. 20240
(202) 343-6821; FTS 343-6821

Betsy Daniel
Environmental Coordinator
Colorado State Office
1037 20th Street
Denver, Colorado 80202
(303) 837-6016; FTS 327-6016

Joe Patti
Environmental Coordinator
Wyoming State Office, BLM
2515 Warren Avenue
P. O. Box 1828
Cheyenne, Wyoming 82003
(307) 772-2571; FTS 328-2571

EIS Team

Little Snake Resource Area Office
P. O. Box 1136
Craig, Colorado 81626
Comm: (303) 824-4441, FTS, Direct Dial
Planning Units: Little Snake, White River

Team Composition

Team Leader
Environmental Coordinator
Technical Coordinator
Writer/Editor
Geology/Topography/Minerals
Water Resources
Cultural Resources
Land Use/Reclamation
Economics
Recreation/Visual Resources
Management/Noise/Net Energy
Analysis
Wildlife/T&E
Vegetation/T&E
Social Values
Climate/Air
Editorial Clerk

Carol MacDonald
Greg Goodenow
David Bray
Robert Woerner
Kermit Witherbee
Richard Inglis
Henry Keesling
Eddie Bateson
(To be assigned)

David Cooper
Herb Conley
Karen Eberle
Davida (Pete) Gates
Scott Archer
Bertha McMillen

Other BLM Offices

Rawlins District Office
1300 Third Street
P. O. Box 670
Rawlins, Wyoming 82301
FTS 328-3011
Comm: (307) 324-7171
Planning Units: Overland, Divide
Attention: Gene Kolkman

Big Sandy - Salt Wells Resource Area Office
P. O. Box 1170
Rock Springs Wyoming 82902-1170
Attn: Dean Stilwell
FTS: Through Operator 328-1110
Comm: (307) 382-5350

Colorado Tract Delineation Team

Team Leader: Betsy Allen
Craig District Office
455 Emerson Street
Craig, Colorado 81626
Comm: (303) 824-8261; FTS Direct Dial

Wyoming Tract Delineation Team

Steve Wiig
Rock Springs District Office
Highway 187 North
P. O. Box 1869
Rock Springs, Wyoming 82901
Comm: (307) 382-5350; FTS 328-6011

Other BLM Offices

Rawlins District Office
1300 Third Street
P. O. Box 670
Rawlins, Wyoming 82301
FTS 328-3011
Comm: (307) 324-7171
Planning Units: Overland, Divide
Attention: Gene Kolkman

Big Sandy - Salt Wells Resource Area Office
P. O. Box 1170
Rock Springs Wyoming 82902-1170
Attn: Dean Stilwell
FTS: Through Operator 328-1110
Comm: (307) 382-5350

Colorado Tract Delineation Team

Team Leader: Betsy Allen
Craig District Office
455 Emerson Street
Craig, Colorado 81626
Comm: (303) 824-8261; FTS Direct Dial

Wyoming Tract Delineation Team

Steve Wiig
Rock Springs District Office
Highway 187 North
P. O. Box 1869
Rock Springs, Wyoming 82901
Comm: (307) 382-5350; FTS 328-6011

APPENDIX 5

Mineral Resource Values

MINERAL RESOURCE VALUES

Tract	Coal Reserves (million tons)						New Annual Production
	In-Place			Recoverable			
	Federal Resource	NonFederal Resource	Total Resource	Federal Resource	NonFederal Resource	Total Resource	
WYOMING							
Deadman *	3.4	0	3.4	0.3	0	0.3	(0.3)
Leucite Hills	54.8	42.3	97.1	6.5	11.2	17.7	0.5
Point of Rocks	34.0	13.9	47.9	13.6	3.9	17.5	0.5
Tract 98 *	3.8	0	3.8	3.4	0	3.4	(0.5)
Atlantic Rim	164.5	217.7	382.2	79.2	99.0	178.2	5.4
Byrne Creek	28.4	42.8	71.2	6.0	9.8	15.8	0.5
Corral Canyon	25.6	57.4	83.0	22.3	49.9	72.2	2.4
Wild Horse Draw	10.3	13.4	23.7	4.5	7.6	12.1	1.7
Plo	133.4	0	133.4	11.1	0	11.1	0.5
Winton	39.2	99.5	138.7	19.6	49.8	69.4	2.0
Indian Springs	44.0	42.1	86.1	25.0	24.0	49.0	1.2
Northeast Cow Creek	192.2	19.9	212.1	82.8	8.8	91.6	1.8
Subtotal	733.6	549.0	1,282.6	274.3	264.0	538.3	16.5
COLORADO							
Prairie Dog	147.4	0	147.4	43.9	0	43.9	1.0
Little Middle Creek †	15.0	0	15.0	12.8	0	12.8	(3.3)
Middle Creek	26.6	0	26.6	5.5	0	5.5	0.1
Rattlesnake Mesa	117.7	0	117.7	36.0	0	36.0	0.9
Signal Butte	257.8	0	257.8	79.9	0	79.9	2.0
Peck Gulch	112.8	0	112.8	36.7	0	36.7	1.2
Iles Mountain	38.2	0	38.2	33.5	0	33.5	1.7
Fish Creek	138.7	0	138.7	64.3	0	64.3	1.0
Bell Rock	199.7	0	199.7	43.4	0	43.4	1.0
Williams Fork Mountain	45.9	0	45.9	39.0	0	39.0	1.3
Lay Creek	59.2	0	59.2	50.3	0	50.3	1.7
Horse Gulch	8.3	0	8.3	7.1	0	7.1	0.5
Subtotal	1,167.3	0	1,167.3	452.4	0	452.4	12.4
Total	1,900.9	549.0	2,449.9	726.7	264.0	990.7	28.9

* Annual production would not represent an increase since this tract is an extension of an existing mining operation. Number in parentheses reflects continued rate of annual production.

† Tract coal reserves could also be leased under the No Action alternative (see narrative). Number in parentheses reflects continued rate of annual production.

APPENDIX 6

Applicable Regulations

Federal Coal Leasing Amendments Act of 1976 (30 U.S.C. 201(a)); and (2) the Small Business Act of 1953, as amended (15 U.S.C. 631 et seq.).

§ 3420.1 Procedures.

§ 3420.1-1 Lands subject to evaluation for leasing.

All lands subject to coal leasing under the mineral leasing laws are subject to evaluation under this subpart (43 CFR 3400.2).

§ 3420.1-2 Call for coal resource information.

(a) Prior to or as part of the initiation or update of a land use plan or land use analysis, a Call for Coal Resource Information shall be made to formally solicit indications of interest and information on coal resource development potential for lands in the planning unit. Industry, State and local governments and the general public may submit information on lands that should be considered for coal leasing, including statements describing why the lands should be considered for leasing.

(b) Proprietary data marked as confidential may be submitted in response to the Call for Coal Resource Information, however, all such proprietary data shall be submitted to the Minerals Management Service only. Data marked as confidential shall be treated in accordance with the laws and regulations governing the confidentiality of such information.

(c) The Call for Coal Resource Information may be combined with the notice of intent to conduct land use planning published in accordance with § 1601.3(g) of this title or with the issue identification process in accordance with Part 1600 of this title. If the agency conducting land use planning is other than the Bureau of Land Management, that agency may combine the Call for Coal Resource Information with its land use planning process at the appropriate step.

§ 3420.1-3 Special leasing opportunities.

(a) The Secretary shall, under the procedures established in this subpart, including §3420.3 of this title, reserve and offer a reasonable number of lease tracts through competitive lease sales open only to a restricted class of potential bidders. Except for the limitation on bidding contained in paragraph (b) of this section, all requirements in this subpart apply equally to special leasing opportunities, including the requirement that coal be leased at its fair market value.

(b) Special leasing opportunities shall be provided for two classes of potential lessees:

(1) Public bodies.

(i) Only public bodies with a definite plan for producing energy for their own use or for their members or customers shall bid for leases designated as special leasing opportunities for public bodies. To qualify as a definite plan, a plan must clearly state the intended use of the coal and have been approved by the governing board of the public body submitting the plan. In the event an electric generating station which will produce energy for the public body is either jointly owned with or participated

in by others, or both, the definite plan shall assure that the public body's proportionate part of the energy produced is utilized pursuant to this paragraph.

(ii) Each public body shall submit the information specified in § 3472.2-5 (a)(1) and (2) of this title, as part of its expression of leasing interest or upon submission of a bid if no expression of leasing interest is made. The information specified in §3472.2-5(a) (3) and (4) of this title shall be submitted within 60 days after submission of an expression of leasing interest or lease bid if no expression of leasing interest is made.

(iii) The Secretary may designate, during the process of preparing a regional lease sale schedule, certain coal lease tracts for special leasing opportunities for public bodies only if a public body has submitted an expression of leasing interest under §3420.3-2, requesting that the procedures of this section apply.

(iv) Leases issued under this section to public bodies may be assigned only to other public bodies, or to a person who will mine the coal on behalf of and for the use of the public body, or to a person for the limited purpose of creating a security interest in favor of a lender who agrees to be obligated to mine the coal on behalf of the public body.

(2) Small businesses.

(i) When necessary to comply with the requirements of the Small Business Act, the Secretary shall designate a reasonable number of tracts for special leasing opportunities for businesses qualifying under 13 CFR Part 121.

(ii) Leases issued under this section may be assigned only to other small businesses qualifying under 13 CFR Part 121.

(c) Potential lessees qualifying for special leasing opportunities may participate in competitive lease sales not designated as special leasing opportunities and shall not be required to submit the evidence and information required specifically for a special leasing opportunity to participate.

§ 3420.1-4 General requirements for land use planning.

(a) The Secretary may not hold a lease sale under this part unless the lands containing the coal deposits have been included in a comprehensive land use plan or land use analysis and unless the sale is compatible with, and subject to, any relevant stipulations, guidelines and standards set out in that plan or analysis.

(b)(1) The Bureau of Land Management shall prepare comprehensive land use plans and land use analyses for lands it administers in conformance with 43 CFR Part 1600.

(2) The Department of Agriculture or any other Federal agency with surface management authority over lands subject to leasing shall prepare comprehensive land use plans or land use analyses for lands it administers.

(3) The Secretary may lease in any area where it is found either that there is no Federal interest in the surface or that the coal deposits in an area are insufficient to justify the costs of a Federal land use plan upon completion of

a land use analysis in accordance with 43 CFR Part 1600.

(c) In an area of Federal lands not covered by a completed comprehensive land use plan or scheduled for comprehensive land use planning, a member of the public may request the appropriate Bureau of Land Management State Office to prepare a land use analysis for coal related uses of the land as provided for in this group.

(d) A comprehensive land use plan or land use analysis shall contain an estimate of the amount of coal recoverable by either surface or underground mining operations or both.

(e) The major land use planning decision concerning the coal resource shall be the identification of areas acceptable for further consideration for leasing which shall be identified by the screening procedures listed below:

(1) Only those areas that have development potential may be identified as acceptable for further consideration for leasing. The Minerals Management Service shall estimate coal development potential for the surface management agency. Coal companies, State and local governments and the general public are encouraged to submit information to the Minerals Management Service at any time in connection with such development potential determinations. Coal companies, State and local governments, and members of the general public may also submit nonconfidential coal geology and economic data during the inventory phase of planning to the surface management agency conducting the land use planning. Where such information is determined to indicate development potential for an area, the area may be included in the land use planning for evaluation for coal leasing.

(2) The Bureau of Land Management or the surface managing agency conducting the land use planning shall, using the unsuitability criteria and procedures set out in Subpart 3461 of this title, review Federal lands to assess where there are areas unsuitable for all or certain stipulated methods of mining. The unsuitability assessment shall be consistent with any decision of the Office of Surface Mining Reclamation and Enforcement to designate lands unsuitable or to terminate a designation in response to a petition.

(3) Multiple land use decisions shall be made which may eliminate additional coal deposits from further consideration for leasing to protect other resource values of a locally important or unique nature not included in the unsuitability criteria discussed in paragraph (e) of this section.

(4)(i) While preparing a comprehensive land use plan or land use analysis, the Bureau of Land Management shall consult with all surface owners who meet the criteria in paragraphs (gg)(1) and (2) of § 3400.0-5 of this title, and whose lands overlie coal deposits, to determine preference for or against mining by other than underground mining techniques.

(ii) For the purposes of this paragraph, any surface owner who has previously granted written consent to any party to mine by other than underground mining techniques shall be deemed to have expressed a preference in favor of

§ 3420.1-3 of this title.

(c) In cooperation with the Small Business Administration, tracts may be delineated when and where technically feasible for small business special leasing opportunities in accordance with § 3420.1-3 of this title.

(d) Other tracts to be used in a lease or fee exchange (43 CFR Subpart 3435 and 3436) may be delineated.

(e) A tract profile shall be formulated for each tract. The profile shall include:

- (1) A summary of the information used in the delineation of the tract, and
- (2) A site-specific environmental inventory and preliminary analysis.

§ 3420.3-4 Regional tracts ranking, selection, environmental analysis and scheduling.

(a)(1) Upon completion of tract delineation and preparation of the tract profiles, the regional coal team shall rank the tracts in classes of high, medium or low desirability for coal leasing. Three major categories of consideration shall be used in tract ranking: coal economics; impacts on the natural environment; and socioeconomic impacts. The subfactors to be considered under each category shall be those determined by the regional coal team as appropriate for that region, and shall be published in the regional lease sale environmental impact statement required by this section. Tracts may also be ranked for other coal management purposes, such as emergency leasing under subpart 3425 of this title or exchanges under parts 3435 and 3436 of this title.

(2) The regional coal team may modify tract boundaries being ranked, if appropriate, to reflect additional information.

(3) In ranking tracts, the regional coal team shall solicit the recommendations of the Federal and State agencies having appropriate expertise, including the Geological Survey, the Fish and Wildlife Service and the Federal surface management agency, if other than the Bureau of Land Management.

(4) Where Federal leasing decisions are likely to have impacts on lands held in trust for an Indian tribe, the regional coal team shall solicit the recommendations of the tribe and the Bureau of Indian Affairs.

(5) A statement that descriptions of the tracts to be ranked are available shall be included with the notice announcing any regional coal team meeting at which those tracts shall be ranked. An opportunity for public comment on the tract rankings shall be provided during the regional coal team meeting.

(b)(1) Upon completion of tract ranking, the regional coal team shall select at least 1 combination of tracts that approximates the regional leasing level. The team shall also select tract combinations representing alternative leasing levels. The team may identify alternative combinations of tracts within a leasing level.

(2) The regional coal team may adjust a tract ranking and select tracts to reflect considerations including: (i) the compatibility of coal quality, coal type and market needs, (ii) environmental

and socioeconomic impacts; (iii) the compatibility of reserve size and demand distribution for tracts; (iv) public opinion; (v) avoidance of future emergency lease situations; and (vi) special leasing opportunity requirements.

(c) After tract ranking and selection, a regional lease sale environmental impact statement on all tract combinations selected by the regional coal team for the various leasing levels and all other reasonable alternative leasing levels shall be prepared by the Bureau of Land Management in accordance with the provisions of the National Environmental Policy Act. The statement shall consider both:

- (1) The site-specific potential environmental impacts of each tract being considered for lease sale; and
- (2) The intraregional cumulative environmental impacts of the proposed leasing action and alternatives, and other coal and noncoal development activities.

(d) The results of the ranking and selection process, including the tract rankings, the tract selected and the list of ranking criteria used shall be published in the regional lease sale environmental impact statement required by paragraph (c) of this section. Detailed information on each of the tracts shall be available for inspection in the Bureau of Land Management State offices that have jurisdiction over lands within the coal production region (See 43 CFR Subpart 1821).

(e) Public hearings shall be held in the region following the release of the draft regional lease sale environmental impact statement to announce and discuss the results of the ranking and selection process and the potential impacts, including proposed mitigation measures.

(f) Upon the close of the comment period on the draft environmental impact statement, the regional coal team shall analyze the comments and make any appropriate revisions in the tract ranking and selection. The final regional lease sale environmental impact statement shall reflect such revisions.

(g) Upon completion and release of the final regional lease sale environmental impact statement, the regional coal team shall recommend specific tracts for lease sale and a lease sale schedule. The chairperson shall submit the recommendations to the Director. Any disagreement as to the recommendation among the team shall be documented and submitted by the chairperson along with the team recommendation. The Director shall submit the final regional environmental impact statement to the Secretary for his/her decision, together with the recommendation of the team and any recommendations the Director may wish to make.

(h) The tract ranking, selection and scheduling process and the regional lease sale environmental impact statement shall be revised or repeated as needed. The Secretary may, in consultation with the Governor(s) of the affected State(s) and surface management agencies, initiate or postpone the process to respond to

considerations such as major land use planning updates, new tract delineation or increases or decreases in the leasing levels.

§ 3420.4 Final consultations.

§ 3420.4-1 Timing of consultation.

Following the release of the final regional lease sale environmental impact statement, and prior to adopting a regional lease sale schedule, the Secretary shall engage in formal consultation as specified in §§ 3420.4-1 through 3420.4-5 of this title.

§ 3420.4-2 Consultation with surface management agencies.

(a) The Secretary, for any proposed lease tract containing lands the surface of which is under the jurisdiction of an agency other than the Department, shall request that the agency: (1) consent, if it has not already done so, to the issue of the lease (43 CFR 3400.3-1), and (2) if it consents, prescribe the terms and conditions the Secretary will impose on any lease which the head of the agency requires for the use and protection of nonmineral interests in those lands.

(b) The Secretary may prescribe additional terms and conditions that are consistent with the terms proposed to the surface management agency to protect the interest of the United States and to safeguard the public welfare.

§ 3420.4-3 Consultation with Governor.

(a) The Secretary shall consult the Governor of the state in which any tract proposed for sale is located. The Secretary shall give the Governor 30 days to comment before adopting a regional lease sale schedule or, for lease applications, before publishing notice of sale for any tract within the State.

(b) When a tract proposed for lease sale within the boundaries of a National Forest would, if leased, be mined by surface mining methods, the Governor of the state in which the land to be leased is located shall be so notified by the Secretary. If the Governor fails to comment to the lease sale proposal in 60 days, the Secretary may publish a notice of sale including that tract. If, within the 60-day period, the Governor, in writing, comments to the lease sale proposal, the Secretary may not publish a notice of sale for that tract. Publication of the notice of sale shall be held in abeyance for 6 months from the date that the Governor comments. The Governor may, during this 6-month period, submit a written statement of reasons why the tract should not be proposed for lease sale, and the Secretary shall, on the basis of this statement, reconsider the lease sale proposal.

§ 3420.4-4 Consultation with Indian tribes.

The Secretary shall consult with the Indian tribe which may be affected by the adoption of the proposed regional lease sale schedule. The Secretary

APPENDIX 7

Public Submissions to RCT



TRAPPER MINING INC.

October 18, 1983

Mr. Ken Smith
Bureau of Land Management
Colorado State Office -(0-92)
1037 20th Street
Denver, Colorado 80202

Gentlemen:

Trapper Mining Inc. is a Colorado corporation that operates the Trapper Mine, a surface area coal mine located near Craig, Colorado. The following comments are provided as input to the Environmental Impact Statement, Green River Hams Fork Region, Round Two.

The draft EIS contains some basic concepts with which we disagree. You will find specific examples provided in the written comments submitted October 7th, 1983. The Bureau is encouraged to consider the following points and to redraft those sections of the EIS to which the points are applicable.

Specifically, the Bureau has made the assumption that worst-case analyses are always appropriate, even when historical data and/or compliance with existing regulations would indicate otherwise. We agree with the concept of worst-case analysis where serious environmental or social harm may result based on past experience or lacking adequate controls. Additionally, it is appropriate where reliable data are lacking and there exists a reasonable probability for an environmental or social catastrophe.

After a review of the information presented in the EIS, and the availability of information from existing coal operations, we cannot agree with the Bureau's application of worst-case analysis for this EIS. As applied, the worst case assumptions compound one another to result in unrealistic conclusions.

The EIS as drafted does not consider the affect of current regulations upon potential impacts. A coal mining operation must adhere to all rules, regulations, and commitments made within its various permits. These include controls to meet air and water quality criteria, and commitments to provide specific means of mitigating the affects from mining and reclamation activities. The draft EIS leaves one with the impression that such controls do not exist or that mines will operate out of compliance with such rules and regulations.

We believe it is inappropriate to assess environmental impacts without considering the effectiveness of present laws, regulations and existing permit commitments. We therefore urge the Bureau to recognize regulatory influences upon potential environmental impacts and to redraft appropriate sections of this EIS.

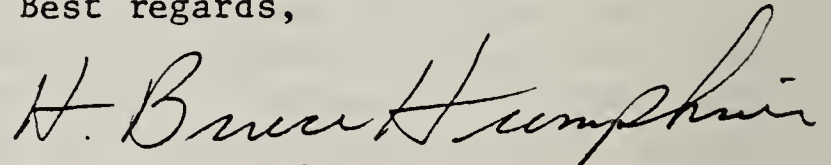
Mr. Ken Smith
October 18, 1983
Page 2

An additional concern we have with the EIS is the tendency to lump items affected by the proposed Federal action into impact categories. The Bureau has done this in some instances with apparent disregard for existing conditions. The result is an inaccurate assessment of potential impacts by potential land use planners.

We maintain that the purpose of an Environmental Impact Statement is to provide government, industry and the general public with an accurate analysis of the probable effects of proposed Federal actions. The Green River-Hams Fork Region EIS as written does not fulfill this goal. The document should be redrafted with emphasis placed upon providing an accurate picture of anticipated impacts. In our estimation, the existing document does not give the degree of confidence necessary for planners to make proper decisions.

We thank the Bureau for the opportunity to comment on this EIS.

Best regards,



H. Bruce Humphries
Environmental Engineer
Trapper Mining Inc.

HBH/js
cc: G. M. Stubblefield
Files



October 17, 1983

Roland G. Robison, Chairman
Green River/Hams Fork Regional Coal Team
BLM State Director, Utah
1400 University Club Building
136 East South Temple
Salt Lake City, Utah 84111

Dear Chairman Robison:

Empire Energy Corporation ("Empire") is writing to set forth it's comments which it wishes to have entered into the record and considered at the Regional Coal Team ("RCT") meeting on October 20, 1983. Further, we hope to update you and the team on developments since the RCT's January 11, 1983 meeting.

At the outset, we would like to emphasize that Empire has a very real interest in leasing the Bell Rock Tract. You may recall that this interest was first demonstrated by Empire's response to the first round of Green River/Hams Fork leasing activity and it's expression of interest regarding this tract. When the Bell Rock Tract was not included in the first round lease sales, Empire followed up with an expression of interest on the tract for second round consideration. Later demonstrations of continuing interest reside in the fact that Empire has obtained exploration licenses in both 1982 and 1983 for this area. It should be noted that notice was published in the Federal Register seeking participants in the exploration programs but no interest was received from outside parties. However, Empire, at it's sole cost and expense, funded the two separate exploration drilling programs. Further, it is our current planning to bid on the Bell Rock Tract if offered.

As you are aware, the Bell Rock Tract was downgraded by the RCT from a "high" ranking to a "medium" ranking at the January 11, 1983 meeting. This downgrading was based upon a memorandum of January 10, 1983 from the Coal Supervisor of the Colorado Mined Land Reclamation Division (the

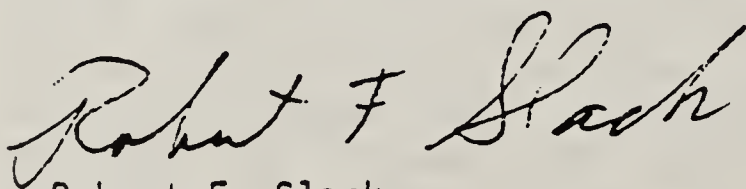
Empire Energy Corporation
P.O. BOX 68, CRAIG, COLORADO 81626 (303) 824-8246

"January 10, 1983 memo"). Since that time, Empire has met with representatives of the BLM (Carol MacDonald and Ken Smith), Colorado Department of Health, Colorado State Engineer, Colorado Mined Land Reclamation Division and Colorado Department of Natural Resources (Dewitt John). During that meeting, the issues raised in the January 10, 1983 memo were discussed fully by all parties. The conclusion reached at that meeting was that certain statements made in the January 10, 1983 memo were in need of revision. All of this is set forth in the attached letter of April 7, 1983 from Empire to Colorado MLRD. Because the concerns raised in the January 10, 1983 memo have been addressed, we believe the Bell Rock Tract should be upgraded in ranking from "medium" to "high", and that the tract should be included in the preferred leasing alternative.

As noted, Empire intends to bid on this tract and if successful, plans to mine the tract as an extension to the existing mining complex. This will result in less adverse environmental impacts as compared to this or other tracts which would be developed as new mines. All of this is set forth in the attached correspondence to the Bureau of Land Management EIS Team Leader, dated October 6, 1983. We further believe the BLM withdrawal of the Corral Canyon Tract from the second round coal leasing process will facilitate the inclusion of the Bell Rock Tract in the preferred leasing alternative. The deletion of the Corral Canyon Tract reduces the coal tonnage included in the preferred leasing alternative by 70.2 million tons. Since the Bell Rock Tract is estimated to contain 43.4 million tons, the total tons offered for sale with the Bell Rock Tract included will be less than was previously offered to meet the Secretary of Interior's established leasing level.

We look forward to the October 20, 1983 meeting and your serious consideration of the Bell Rock Tract for inclusion in the preferred leasing alternative.

Respectfully submitted,



Robert F. Slack
Vice President and General Manager
Empire Energy Corporation

RAM/RFS/cj

attachments

CC: Regional Coal Team Members:
George Francis
Maxwell Lieurance
Richard D. Lamm
Ed Herschler



April 7, 1983

Mr. Fred Banta
Coal Supervisor
Mined Land Reclamation Division
423 Centennial Building
1313 Sherman Street
Denver, CO 80203

Hydrologic Situation - Eagle Mine

Dear Fred:

This will serve to follow up our recent conversation and the one between Mr. James Nalven and yourself on March 7, 1983. The topic of your discussion with Jim was your memorandum of January 10, 1983 to Mr. Dewitt John, a copy of which was presented to the Regional Coal Team at a public meeting in Cheyenne, Wyoming. Our recent discussion was to advise you that I had Jim write me a memorandum about the discussion between you and he.

Fred, the reason for this letter is to afford you the opportunity to review and comment on Jim's analysis of the facts presented at that meeting. It is very important that both the Division and Empire Energy come to a mutual understanding on the points discussed on March 7. The importance is based upon the fact that Empire Energy wants to lease the Bell Rock tract in 1984 and your memorandum of January 10, 1983 raised concerns which we do not believe to be valid and which could negatively impact the leasing of the tract. As we both know, the Bell Rock tract was kept from the preferred alternative due mainly to the memorandum of January 10 being given to the BLM.

The following is an excerpt from Jim's memorandum of March 11, 1983 to me.

Empire Energy Corporation

5900 SOUTH YOSEMITE STREET • SUITE 160
ENGLEWOOD, COLORADO 80112
303-779-6962

Mr. Fred Banta

April 7, 1983

Page 2

In the memorandum you raised a number of questions concerning Empire Energy's (EE) hydrologic monitoring program and the hydrologic situation at their operations. Based on our conversation of March 7, it is my understanding that you have a different understanding of the situation.

1. EE has collected a large amount of baseline data since 1981.
2. EE's monitoring program was fully implemented prior to January 1, 1983.
3. The higher than predicted mine inflow is due solely to a fault zone penetrated by the mine and that the rest of the mine is producing water at approximately the predicted rate. The fault is the only significant deviation from the predicted inflow encountered in approximately 5 years of mining in the No. 5 mine.

Based upon these facts and other data presented at the March 7 meeting some of the conclusions in your memorandum can be modified. There is no evidence that there is any significant degradation of surface water or ground water quality. The quality of the water entering at the fault zone is virtually identical to that of the water entering anywhere else in the No. 5 Mine and therefore, the quality of the water being discharged has not changed. There is no evidence of significant degradation of surface quantity. If anything, surface water flows are being temporarily increased slightly. This inflow should cause some head declines in the overlying aquifer(s); however, these aquifer(s) are not a major source of ground water in the area because they only produce significant yields in isolated areas. Also this inflow should decrease with time and will, of course, cease altogether following closure of the mine.

I would appreciate your comments on the above after you have had time to review it. If additional clarification is required both Jim and I will be happy to meet with you further to discuss the issue. Please advise of your desire on this matter.

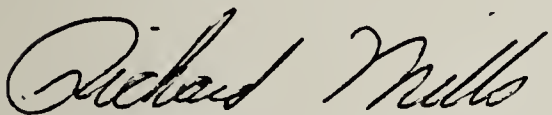
If you agree with Jim's understanding of the conversation and his analysis, it is respectfully requested that the

Mr. Fred Banta
April 7, 1983
Page 3

Division initiate action rectifying the Bell Rock tract leasing public record on the topics raised in the Division's memorandum of January 10, 1983. Naturally, Empire Energy would like to be party to any correspondence or discussion between the Division, the Department of Natural Resources and the Bureau of Land Management on this sensitive matter.

I appreciate the cooperation you have displayed in attempting to resolve this matter.

Sincerely,

A handwritten signature in cursive script, reading "Richard Mills".

Richard A. Mills
Environmental Engineer

RAM/dlm

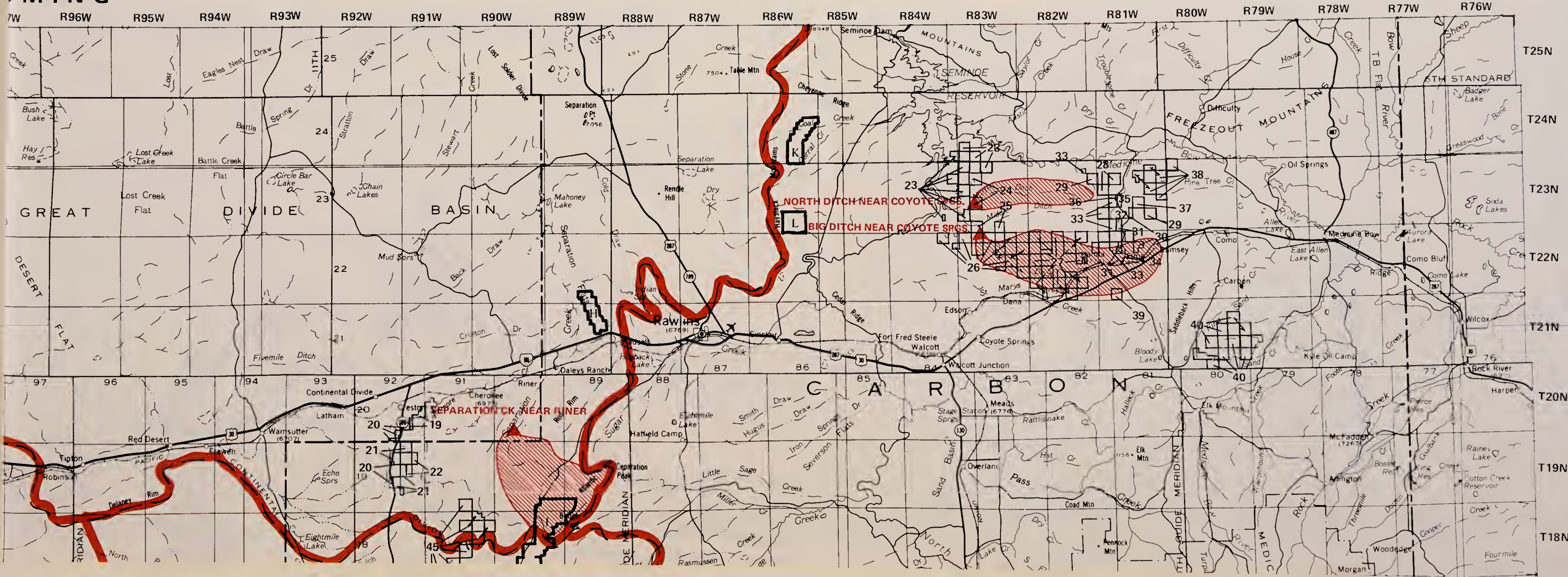
APPENDIX 8
Regional Map

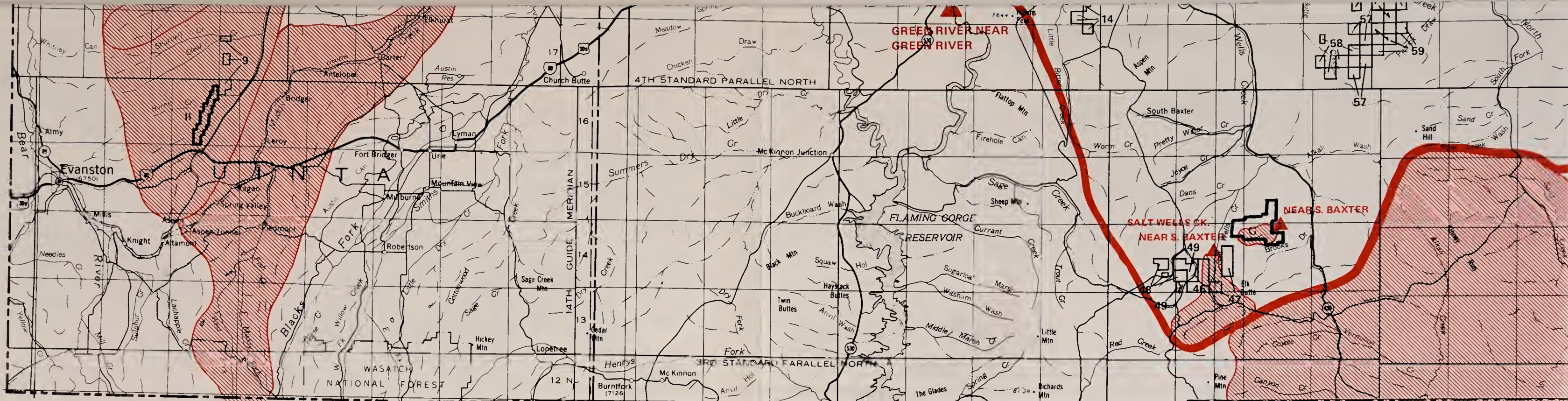
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MING

NORTH PLATTE RIVER
AT ORIN





WYOMING			
Ref. No.	COAL LEASES	Name of Mine	Lease No.
	Kemmerer Coal Co.	Elkol & Sorensen	W-075206
	Kemmerer Coal Co.		W-060274
	Kemmerer Coal Co.		W-056471
	Kemmerer Coal Co.		W-0294513
	Kemmerer Coal Co.		W-075207
	Kemmerer Coal Co.		W-055246
	FMC Corp.		W-061422
	FMC Corp.	Jim Bridger	W-061421
	Cumberland Coal Co.		W-060241
	Peabody Coal Co.		W-0220486
	Peabody Coal Co.		W-3438
	Sweetwater Coal Development Co.		W-0313201
	Stansbury Coal Co.	Stansbury	W-12793
	Columbine Mining Co.		E-015155
	Bridger Coal Co.	Black Butte	W-2728
	Bridger Coal Co.		W-0313558
	Bridger Coal Co.	Black Butte	W-2727
	Black Butte Coal Co.		W-6266
	Resource Development	Medicine Bow	W-092140
	Resource Development		W-0313559
	Resource Development		W-092141
	Resource Development		W-0312917
	Medicine Bow Coal Co.	Medicine Bow	W-72989
	Medicine Bow Coal Co.		W-58095
	Medicine Bow Coal Co.		W-25554
	Ark Land Co.	Seminole No. 2	W-16466
	Energy Development Co.		W-16465
	Ark Land Co.	Seminole No. 2	W-054727
	Ark Land Co.		W-054728
	Rosebud Coal Sales Co.	Seminole No. 2	C-057086
	Ark Land Co.		W-054737
	Ark Land Co.	Seminole No. 2	C-078051
	Capital Development Co.		W-72990
	Ark Land Co.	Seminole No. 2	C-033800
	Rosebud Coal Sales Co.		W-48330
	Ark Land Co.	Seminole No. 2	W-49338
	Ark Land Co.		W-0150169
	Ark Land Co.	Seminole No. 2	W-72991
	Ark Land Co.		W-25406
	Edison Development Co.	Seminole No. 2	W-50061
LEASE APPLICATION			
	China Butte		W-73096



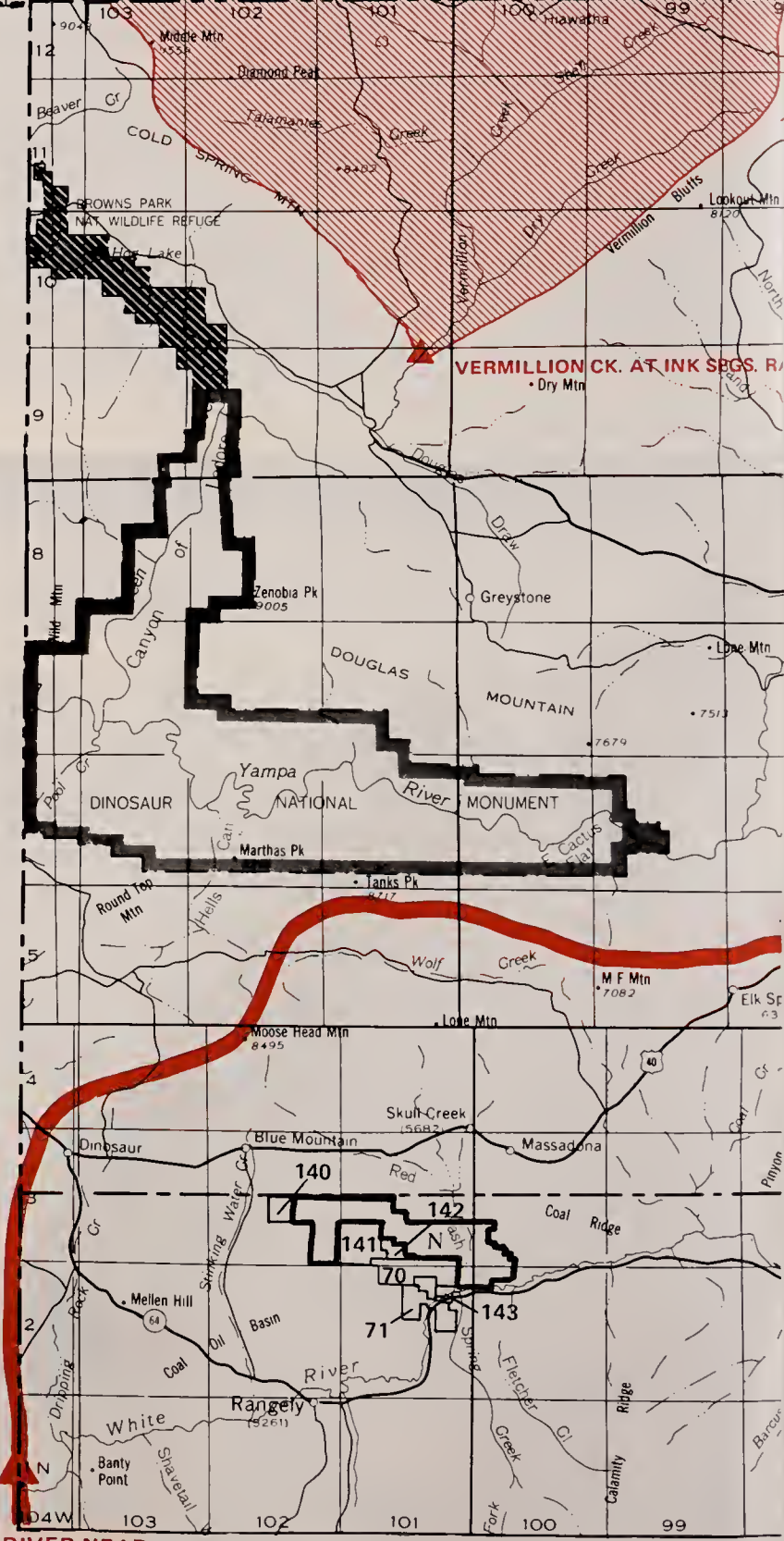
PREFERENCE RIGHT LEASE APPLICATIONS			
Ref. No.	COAL LEASES	Name of Mine	Lease No.
46	Ark Land Co.	Deserado	W-19188
47	Ark Land Co.		W-19187
48	Ark Land Co.		W-19190
49	Ark Land Co.		W-19189
50	Kemmerer Coal Co.		W-0324041
51	Kemmerer Coal Co.		W-0324042
52	Kemmerer Coal Co.	Colowyo Strip	W-0324034
53	Kemmerer Coal Co.		W-0324037
54	Kemmerer Coal Co.		W-0324035
55	Kemmerer Coal Co.		W-0324038
56	Kemmerer Coal Co.		W-0324036
57	Rosebud Coal Sales Co.		W-23411
58	Peabody Coal Co.	Northern No. 1,2,3	W-16431
59	Rosebud Coal Sales Co.		W-23412
60	Rosebud Coal Sales Co.		W-0308923

COLORADO			
Ref. No.	COAL LEASES	Name of Mine	Lease No.
70	Reliable Coal & Mining Co.	Deserado	D-047201
71	Riebold & Chapman		C-028875
72	Utah International Inc.		C-07519
73	Utah International Inc.		C-0123475
74	Utah International Inc.	Colowyo Strip	C-29225
75	Colowyo Coal Co.		D-034365
76	Consolidated Land Development		C-29226
77	Consolidated Coal Co.		C-29224
78	Colorado Yampa Coal Co.	Energy No. 2 Strip	C-0128433
79	Consolidated Coal Co.		C-1546
80	Consolidated Coal Co.		C-093713
81	Northern Mineral Co.		C-076713
82	Northern Mineral Co.	Northern No. 1,2,3	C-1545
83	Northern Mineral Co.		C-28358
84	Consolidated Coal Co.		C-093714
85	Northern Mineral Co.		C-28359
86	Consolidated Coal Co.	Northern No. 1,2,3	C-093715
87	Consolidated Coal Co.		C-093716
88	Northern Mineral Co.		D-044240
89	Utah International Inc.		C-0123475
90	Empire Energy Corp.	Eagle No. 5 & 9	C-30656
91	Empire Energy Corp.		C-0126480
92	Utah International Inc.		C-25948
93	Empire Energy Corp.		D-056298
94	Utah International Inc.	Trapper Mine	C-07518
95	Utah International Inc.		C-079641
96	W.R. Grace & Co.		C-0125957
97	Hayden Gulch West Coal Co.		C-29217

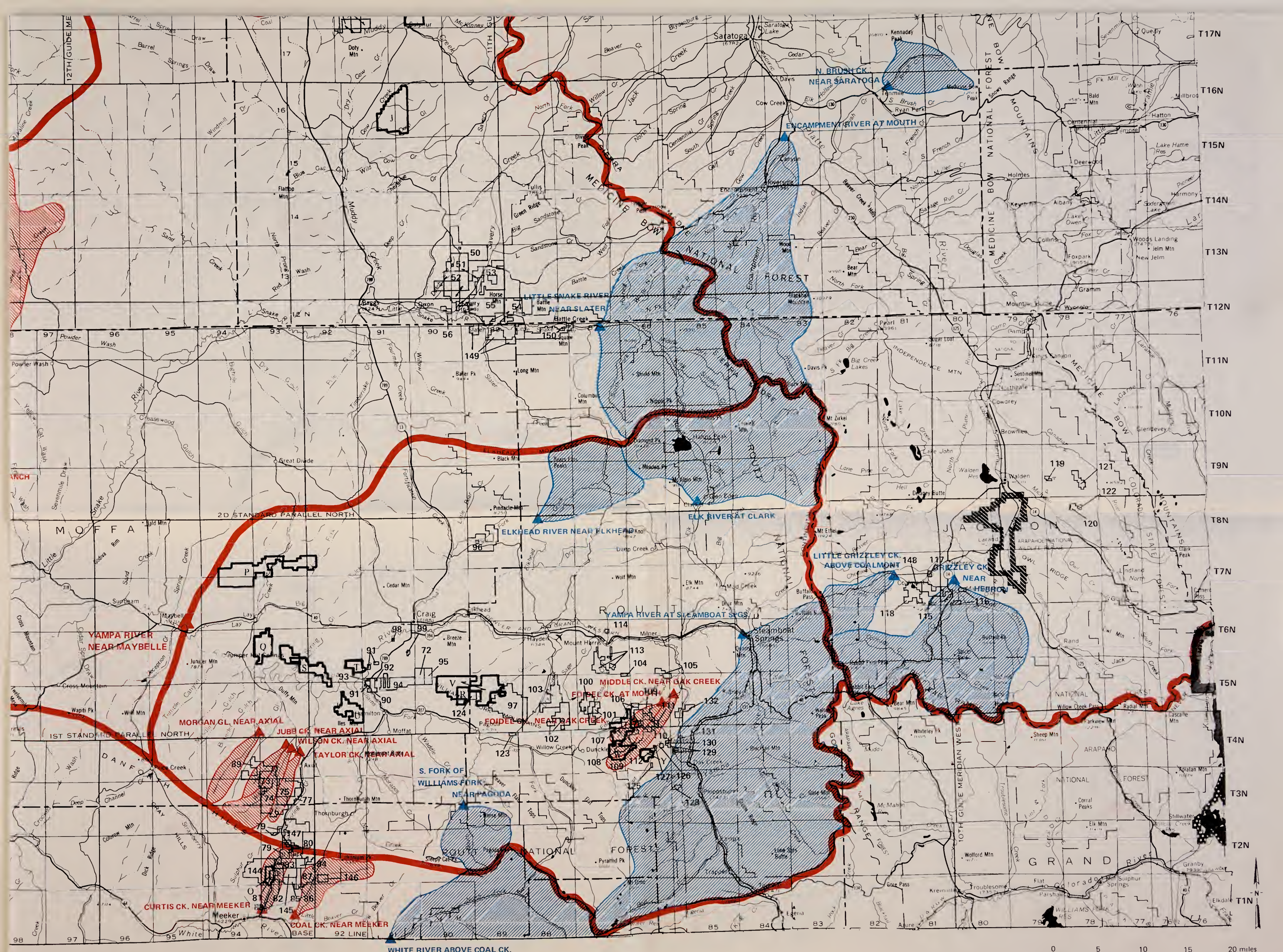
PROPOSED COAL LEASE TRACTS			
WYOMING			
A - Tract 98	G - Pio	H - Indian Springs	I - Atlantic Rim
B - Byrne Creek	J - NE Cow Creek	K - Corral Canyon	L - Wild Horse Draw
C - Winton	D - Leucite Hills	E - Deadman	F - Point of Rocks

Ref. No.	COAL LEASES	Name of Mine	Lease No.
98	Ferne M. James	Trapper Mine	C-064416
99	Utah International Inc.		C-813
100	Peabody Coal Co.		C-0114093
101	American Minority Mining Co.		C-29221
102	Materials Service Corp.	Seneca 2-W	C-081258
103	Materials Service Corp.		C-081251
104	Peabody Coal Co.		C-19885
105	Colorado Yampa Coal Co.		C-22676
106	Colorado Yampa Coal Co.	Energy No. 2 Strip	C-20900
107	Colorado Yampa Coal Co.		C-29220
108	Colorado Yampa Coal Co.		C-22644
109	Colorado Yampa Coal Co.		C-081330
110	Colorado Yampa Coal Co.	Energy No. 1 Strip	D-052547
111	Colorado Yampa Coal Co.		C-16284
112	Sunland Mining Corp.		D-046544
113	Peabody Coal Co.		C-088199
114	Peabody Coal Co.	Seneca No. 2	C-086654
115	Kemmerer Coal Co.		C-0123177
116	Kemmerer Coal Co.		C-0105299
117	AMCA Coal Leasing, Inc.		C-030472
118	Kemmerer Coal Co.	Canadian Strip Mine	C-0105300
119	Monolith Portland Midwest		D-057166
120	Wyoming Fuel Co.		C-31805
121	Kerr Coal Co.		C-22777
122	Wyoming Fuel Co.	Marr Strip No. 1	C-29731
123	Ruby Construction Co.		D-051698
124	Franklin Real Estate Co.		C-012894
125	Prosper Lombardi, Jr.		C-23396
126	Sheridan Enterprises Inc.	Joe's Mine	C-052546
127	Sunland Mining Corp.		C-0127592
128	AMCA Coal Leasing, Inc.		D-051376
129	Gulf Oil Corp.		D-033327
130	Gulf Oil Corp.	Edna	D-053710
131	Gulf Oil Corp.		D-041478
132	Gulf Oil Corp.		C-021601
141	Western Fuels Assoc.		C-8424
142	Western Fuels Assoc.	Apex No. 2	C-8425
143	Reliable Coal and Mining		C-0126669

PREFERENCE RIGHT LEASE APPLICATIONS			
Ref. No.	COAL LEASES	Name of Mine	Lease No.
140	Riebold & Chapman	Canadian Strip Mine	C-0125366
141	Northern Minerals Co.		C-0126997
142	Northern Minerals Co.		C-0126999
143	P. Jensen & K. W. Miller		C-4275
144	Consolidation Coal Co.	Trapper Mine	C-0126998
145	Kemmerer Coal Co.		C-0125854
146	Kemmerer Coal Co.		C-3606
147	Kemmerer Coal Co.		C-3605

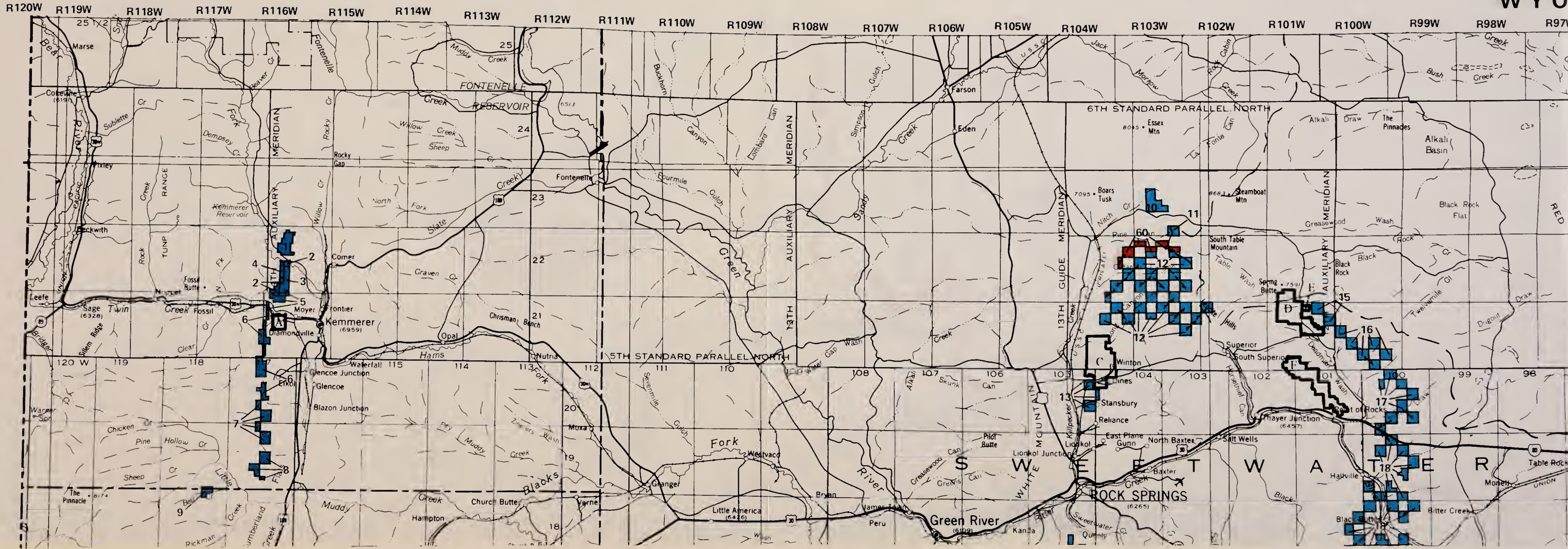


GREEN RIVER - HAMS FORK
EIS COAL REGION

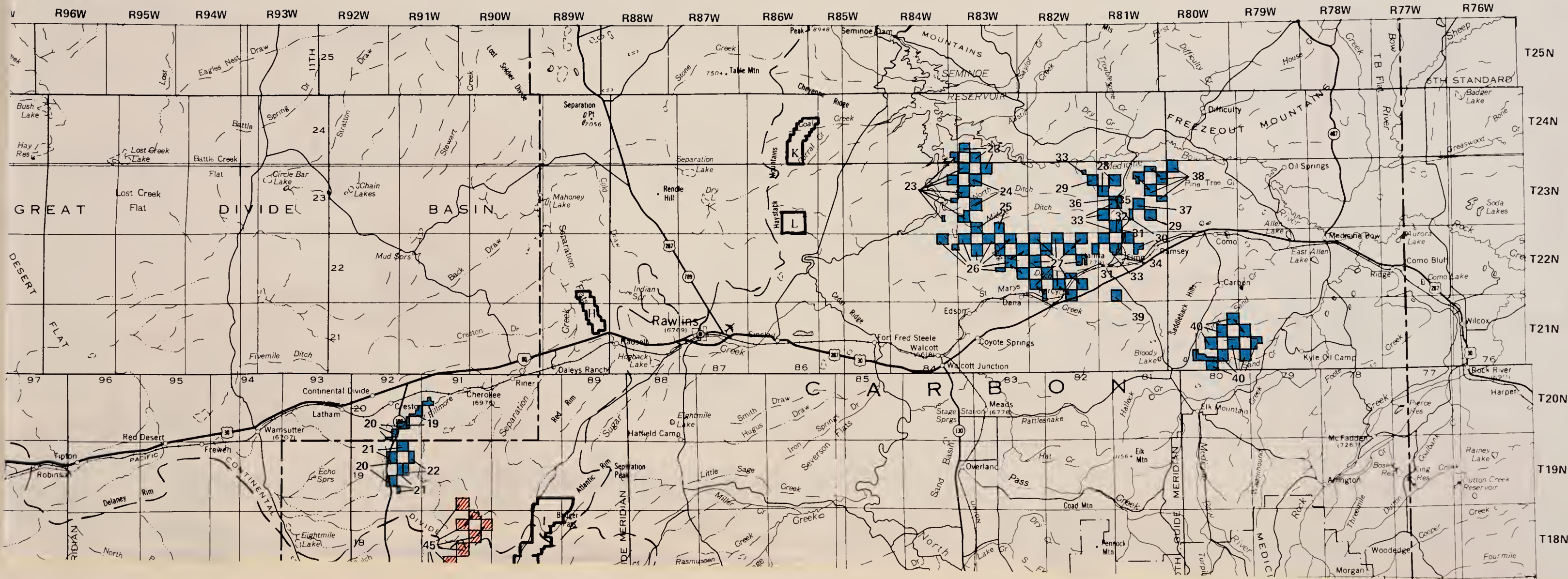


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WYOMING

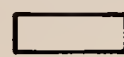
Ref. No.	COAL LEASES	Name of Mine	Lease No.
1	Kemmerer Coal Co.		W-075206
2	Kemmerer Coal Co.		W-060274
3	Kemmerer Coal Co.		W-056471
4	Kemmerer Coal Co.		W-0294513
5	Kemmerer Coal Co.		W-075207
6	Kemmerer Coal Co.	Elkol & Sorensen	W-055246
7	FMC Corp.		W-061422
8	FMC Corp.		W-061421
9	Cumberland Coal Co.		W-060241
10	Peabody Coal Co.		W-0220486
11	Peabody Coal Co.		W-3438
12	Sweetwater Coal Development Co.		W-0313201
13	Stansbury Coal Co.	Stansbury	W-12793
14	Columbine Mining Co.		E-015155
15	Bridger Coal Co.		W-2728
16	Bridger Coal Co.	Jim Bridger	W-0313558
17	Bridger Coal Co.		W-2727
18	Black Butte Coal Co.	Black Butte	W-6266
19	Resource Development		W-092140
20	Resource Development		W-0313559
21	Resource Development		W-092141
22	Resource Development		W-0312917
23	Medicine Bow Coal Co.		W-72989
24	Medicine Bow Coal Co.	Medicine Bow	W-58095
25	Medicine Bow Coal Co.		W-42554
26	Ark Land Co.	Seminole No. 2	W-16466
27	Energy Development Co.	Vanguard No. 2	W-16465
28	Ark Land Co.	Seminole No. 2	W-054727
29	Ark Land Co.	Seminole No. 2	W-054728
30	Rosebud Coal Sales Co.	Rosebud	C-057086
31	Ark Land Co.		W-054737
32	Ark Land Co.	Seminole No. 2	C-078051
33	Capital Development Co.		W-72990
34	Ark Land Co.	Seminole No. 2	C-033800
35	Rosebud Coal Sales Co.	Rosebud	W-48330
36	Ark Land Co.	Seminole No. 2	W-49338
37	Ark Land Co.	Seminole No. 2	W-0150169
38	Ark Land Co.	Seminole No. 2	W-72991
39	Ark Land Co.	Seminole No. 2	W-25406
40	Edison Development Co.		W-50061
LEASE APPLICATION			Lease No.
45	China Butte		W-73096

PREFERENCE RIGHT LEASE APPLICATIONS

Ref. No.	COAL LEASES	Name of Mine	Lease No.
46	Ark Land Co.		W-19188
47	Ark Land Co.		W-19187
48	Ark Land Co.		W-19190
49	Ark Land Co.		W-19189
50	Kemmerer Coal Co.		W-0324041
51	Kemmerer Coal Co.		W-0324042
52	Kemmerer Coal Co.		W-0324034
53	Kemmerer Coal Co.		W-0324037
54	Kemmerer Coal Co.		W-0324035
55	Kemmerer Coal Co.		W-0324038
56	Kemmerer Coal Co.		W-0324036
57	Rosebud Coal Sales Co.		W-23411
58	Peabody Coal Co.		W-16431
59	Rosebud Coal Sales Co.		W-23412
60	Rosebud Coal Sales Co.		W-0308923

COLORADO

Ref. No.	COAL LEASES	Name of Mine	Lease No.
70	Reliable Coal & Mining Co.	Deserado	D-047201
71	Riebold & Chapman		C-028875
72	Utah International Inc.		C-07519
73	Utah International Inc.		C-0123475
74	Utah International Inc.		C-29225
75	Colowyo Coal Co.	Colowyo Strip	D-034365
76	Consolidated Land Development		C-29226
77	Consolidated Coal Co.		C-29224
78	Colorado Yampa Coal Co.	Energy No. 2 Strip	C-0128433
79	Consolidated Coal Co.		C-1546
80	Consolidated Coal Co.		C-093713
81	Northern Mineral Co.	Rienau No. 2	C-076713
82	Northern Mineral Co.		C-1545
83	Northern Mineral Co.	Northern No. 1,2,3	C-28358
84	Consolidated Coal Co.		C-093714
85	Northern Mineral Co.	Northern No. 1,2,3	C-28359
86	Consolidated Coal Co.		C-093715
87	Consolidated Coal Co.		C-093716
88	Northern Mineral Co.	Rienau No. 2	D-044240
89	Utah International Inc.		C-0123475
90	Empire Energy Corp.		C-30656
91	Empire Energy Corp.	Eagle No. 5 & 9	C-0126480
92	Utah International Inc.		C-25948
93	Empire Energy Corp.	Eagle No. 5	D-056298
94	Utah International Inc.	Trapper Mine	C-07518
95	Utah International Inc.	Trapper Mine	C-079641
96	W.R. Grace & Co.	Little Bear	C-0125957
97	Hayden Gulch West Coal Co.		C-29217



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E - Deadman	K - Corral Canyon
F - Point of Rocks	L - Wild Horse Draw

COLORADO
N - Prairie Dog
O - Rattlesnake
P - Lay Creek
Q - Signal Butte
R - Peck Gulch (undrgrnd)
S - Horse Gulch

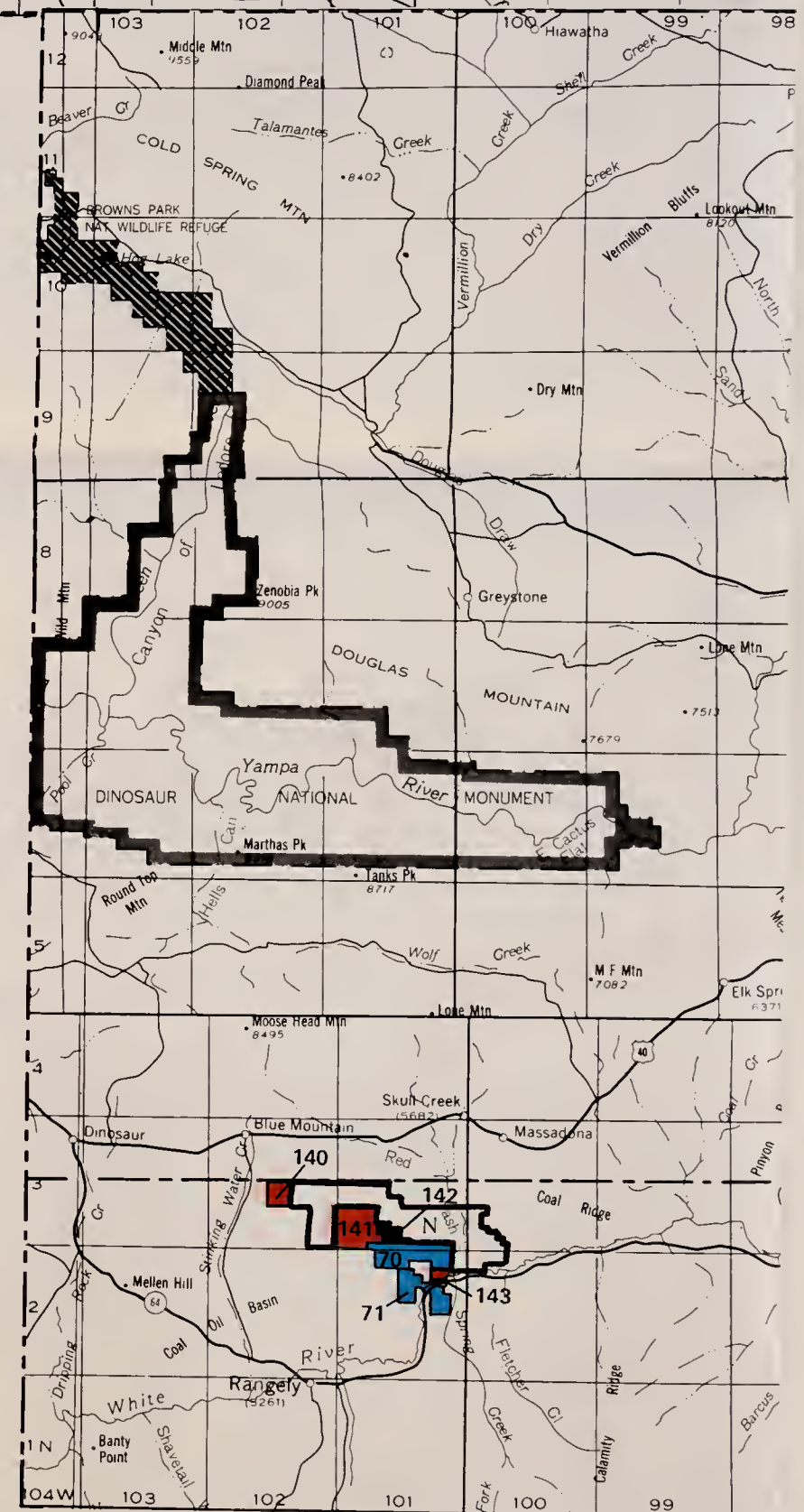
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COAL LEASES

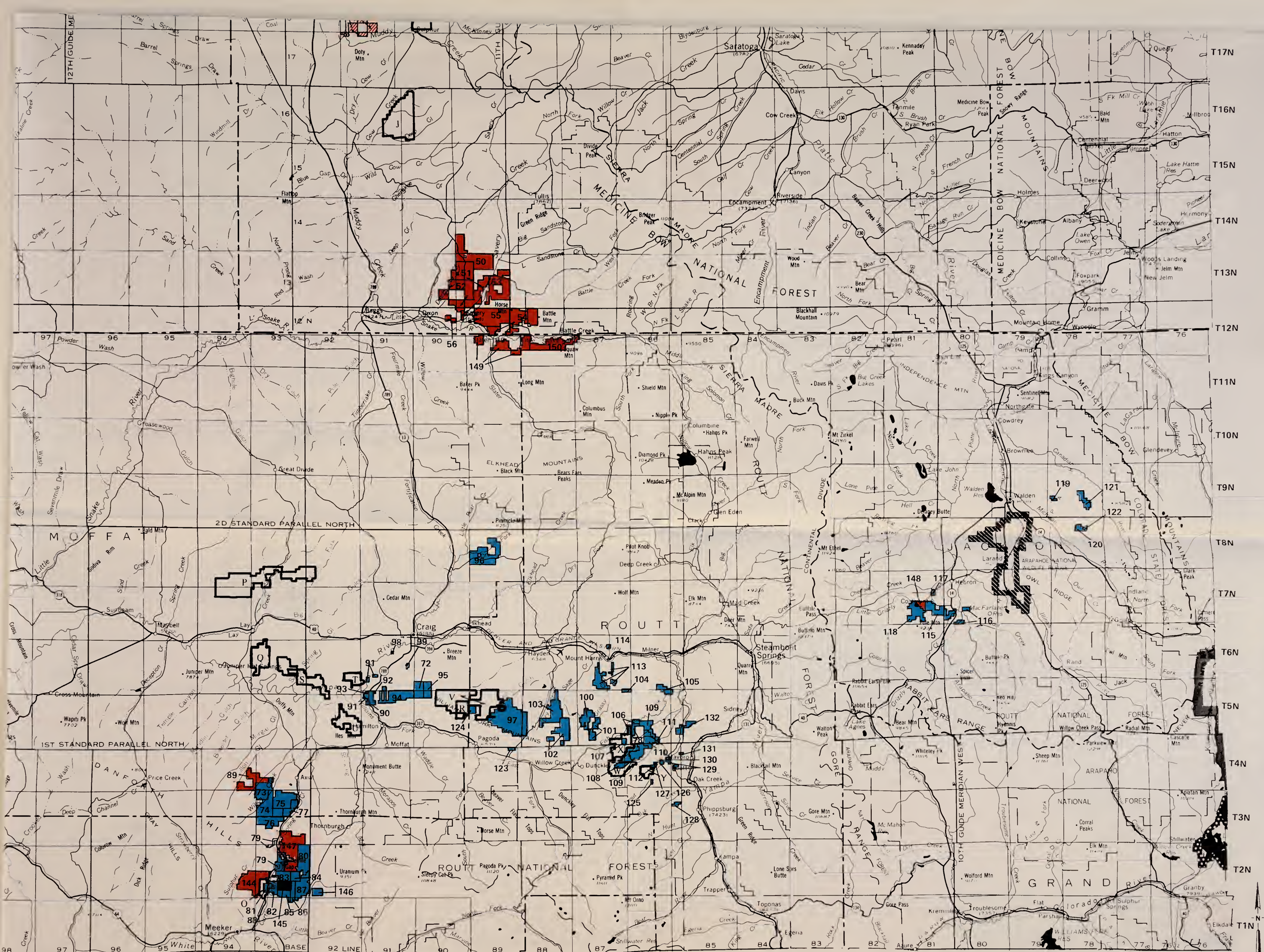
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131	Gulf Oil Corp.	Edna	D-041478
132	Gulf Oil Corp.	Edna	C-021601
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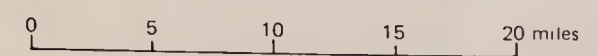
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147	Consolidation Coal Co.		C-0126998
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149	Kemmerer Coal Co.		C-3606
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